

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 208 OF 2016
(Nazema Begum Nisar Ahmed Vs. The State of Maharashtra
and others)

Mr. Sanjay Kolhare, Advocate for the Petitioner
Mr. K.D. Munde, A.G.P. for the respondent/State
Mr. D.S. Mali, Advocate for respondent No. 2
Mr. M.M. Choudhari, Advocate for respondent Nos. 3 and 4

CORAM : R.M. BORDE AND
SANGITRAO S. PATIL, JJ.

DATE : 8th December, 2016

PER COURT :

Heard.

2. The petitioner makes a grievance that as a result of the pendency of the instant petition, the Education Officer (Primary) – respondent No. 2 has not released the salary payable to him since September, 2013. This act of respondent No. 2 prima facie amounts to interference in the course of administration of justice. It also prima facie appears that the petitioner is being penalized for availing the constitutional remedy provided to a citizen.

3. The learned counsel for respondent No. 2 states

that he would give the necessary instructions to respondent No. 2 to forthwith release the salary payable to the petitioner.

4. It is pointed out that a substantive Writ Petition bearing No. 4382/2003, raising challenge to the order passed by the School Tribunal is pending before the learned Single Judge of this Court. In the circumstances, the relief claimed in the instant petition as such cannot be granted until disposal of the aforesaid Writ Petition.

5. In view of above facts, the Writ Petition is disposed of.

[SANGITRAO S. PATIL]
JUDGE

[R.M. BORDE]
JUDGE

npj/wp208-2016