

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 6379 OF 2011

Karbhari Amruta Pawar

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri M. B. Sandanshiv, Advocate for the Petitioner.

Shri S. Y. Mahajan, A.G.P. for Respondent Nos. 1 to 3.

Shri U. B. Bilolikar, Advocate for the Respondent No. 7.

Shri Tekale, Advocate h/f Shri A. S. Gandhi, Advocate for the Respondent No. 8.

CORAM : S. V. GANGAPURWALA

N. W. SAMBRE, JJ.

DATE : 16TH SEPTEMBER, 2016.

PER COURT :

. Heard the learned counsel for the petitioner and the learned counsel for the added party and the learned Assistant Government Pleader.

2. The petitioner has filed the present writ petition seeking direction against the respondent No. 3 to grant approval to the appointment of the petitioner as Head Master and release salary of the petitioner from 01.03.2011. This Court on 10th February 2012 has admitted writ petition and granted interim relief in terms of prayer clause "D". Prayer clause 'D' reads as under :

"D. Pending hearing and final disposal of this writ petition to direct respondent no. 3 that, the petitioner to hold the post of Head Master with respondent no. 4 and pass the approval in favour of the petitioner and further direct the respondent no. 3 to release the regular salary of the petitioner for the post of Head Master from 01.03.2011."

3. It is submitted that, now the petitioner has retired on attaining age of superannuation and the pension papers are not proceeded with.

4. This Court vide interim order had already directed the respondents to grant approval in favour of the petitioner and also directed the respondent No. 3 to release regular salary of the petitioner for the post of Head Master from 01.03.2011. In view of that, the purpose of the writ petition is served, because the petitioner has worked as Head Master. Even approval is granted to the appointment of the petitioner. The respondents do not dispute the entitlement of the petitioner for the pay on the post of Head Master. Now the same would be only rendered academic. In view of the interim orders passed by this Court, the petitioner has worked as Head Master. Approval was also directed to be granted and same was granted.

5. In the light of that, the petition stood allowed on the very same day. As the petitioner has superannuated his pension

papers will have to be processed of the post of Head Master. The same shall be done expeditiously. The management shall forward the pension papers of the petitioner as Head Master within a period of two months from today. On receipt of the same, the respondent authorities shall process it in accordance with law expeditiously. With these observations and directions the writ petition stands disposed of. No costs. Rule made absolute in above terms.

[N. W. SAMBRE, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 16