

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

WRIT PETITION NO.7180 OF 2015

KISHOR CHAGAN KOLI

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Salgare
Vitthal G.

AGP for Respondents/State: Mr.V.S. Badakh.

Advocate for R.Nos.3 & 4: Mr.A.S. Sawant.

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CORAM: S.S.SHINDE & SANGITRAO S. PATIL, JJ.

Dated: JUNE 07, 2016

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Heard the learned Counsel appearing for the petitioner. He submits that after filing this petition, services of the petitioner have been terminated in the month of August, 2015. The petitioner has filed an appeal before the School Tribunal challenging the termination of his services. He further submits that that respondent No.2 may be directed to hear the parties and decide the issue of payment of honorarium / salary to the petitioner from the date of joining the

duty i.e. 17th June, 2011 till his services were terminated.

2 After hearing the learned Counsel for the parties, we are satisfied that so far prayer clause (C) is concerned, since the petitioner has preferred an appeal and services of the petitioner have been terminated during the pendency of this petition, the said prayer clause cannot be considered.

3 So far as prayer clause (B) is concerned, we direct the respondent No.2 to hear the petitioner and the respondents No.3 and 4 and, after verifying the record maintained by respondents No.3 and 4 and after perusing the documents submitted by the petitioner in support of his case, take an appropriate decision about the honorarium / salary for which the petitioner was entitled for the period from 17th June, 2011 till termination of his services.

We have not expressed any opinion on merits of the matter and it is for the Education Officer to take an appropriate decision. Respondent No.2 to take decision, as expeditiously as possible;

however, within twelve weeks from today. The petitioner and respondents No.3 and 4 shall appear before the respondent No.2 on 20th June, 2016.

Petition is disposed of in the above terms. Parties to act upon authenticated copy of this order.

(SANGITRAO S.PATIL, J) (S.S. SHINDE, J)