

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.8522 OF 2015.**Sunil Babu Giri and others Vs. The State of Maharashtra and others.**

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

Mr.Zaidi Ali Zeeshan M.,advocate for the petitioners.
 Mr.A.A.Jagatkar, A.G.P. for the State.
 Mr.R.J.Godbole, advocate for Respondent No.5

**CORAM : S.V.GANGAPURWALA AND
 K.L.WADANE, JJ.**

Date : 20.10.2016.

PER COURT :

1. Heard.
2. The learned counsel for petitioners states that the petitioners were appointed in the year 2011. Their appointment as Shikshan Sevak has been approved. After completion of three years as Shikshan Sevak, the petitioners became permanent employees i.e. Assistant Teachers. Even the said proposal is submitted, no orders are passed on the said proposal. According to the learned counsel, the petitioners are discharging their duties as Assistant Teachers, however, their salary is not being paid since January 2014 only on

the ground that validity of their appointment is challenged by some person.

3. Learned counsel for Respondent Nos.5 and 6 submits that the petitioners are legally appointed, the salary bills of the petitioners are forwarded. The petitioners are performing their duties. It is for the Education Officer to sanction the salary bills as the petitioners are appointed on vacant sanctioned grant-in-aid posts.

4. The learned A.G.P. submits that the appointment of petitioners is challenged by the then Head Master by filing Writ Petition No.6827/2014, as such the salary bills are not processed and the said petitioner in W.P.No.6827/2014 i.e. the Head Master is absconding.

5. If the petitioners are discharging their duties in accordance with law and no prohibitory orders are passed by any Court, the Respondent-authority ought to have processed the salary bills and the proposals received by it.

6. Considering the above, the Respondent No.3 shall process the salary bills of the petitioners and the proposal if any received by it in accordance with law and if there is no other legal impediment. The same shall be done expeditiously, preferably within three (3) months.

7. The Writ Petition is accordingly disposed of. No costs.

(K . L . WADANE , J .)

(S . V . GANGAPURWALA , J .)

Dt.20.10.2016.
asp/office/wp8522.15