

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. 9880 OF 2015

DINESH SAHEBRAO KADAM AND OTHERS
VERSUS

THE PRINCIPAL SECRETARY SOCIAL WELFARE
AND JUSTICE DEPARTMENT MUMBAI AND OTHERS

...

Advocate for Petitioners : Mr. R.D. Biradar
AGP for Respondent/State : Mr.S.B. Yawalkar

...

CORAM: S.S.SHINDE & SANGITRAO S. PATIL, JJ.
Dated: August 10, 2016

...

Heard the learned counsel appearing for the petitioners and the learned A.G.P. appearing for the Respondent/State. With their able assistance, we have perused the pleadings in the Petition, annexures thereto, the affidavit in reply filed by Respondent Nos. 1 to 4 and separate reply filed by Respondent No.4.

2. Respondent No.4 in his affidavit in

reply has stated that the names of the petitioners have been included in the surplus primary teachers waiting list, which are at serial nos. 74, 75, 79, 80, 81 and 82 respectively as per the seniority. In that view of the matter as and when the petitioners' turn will come as per the seniority, in view of the statement made in the affidavit in reply, the petitioners will be absorbed in the service.

3. The learned counsel appearing for the petitioners submits that though the petitioners have worked from 20th April, 2015, the Respondents have asked the petitioners to do administrative work in the office of the school even for the months of February, 2015 and March, 2015 and already they have been paid salary upto the month of March, 2015. He submits that for the period from 1st April, 2015 to 27th December, 2015, the petitioners have served but no salary is paid. The learned counsel further submitted that even the petitioners have worked till the end of December, 2015.

4. We direct the Assistant Commissioner, Social Welfare, Latur and also the Deputy

Commissioner, Social Welfare, Latur to consider the representation, which will be filed by the petitioners, as undertaken by the petitioners to file the same within a period of two weeks from today, and take the decision on the said representation, as expeditiously as possible, and preferably, within four weeks from receiving such application. The said authority shall afford the opportunity of hearing to one of the representative of the petitioners and also allow them to place on record the copies of the documents, if any available, which would show that as a matter of fact, the petitioners have worked for the said period from April, 2015 till December, 2015.

5. The Petition stands disposed of in the above terms.

6. In case, the petitioners are found eligible for the amount or salary, as the case may be, the Respondents are directed to ensure that such amount is sanctioned and paid to the petitioners, as expeditiously as possible, and preferably, within six weeks from taking such decision by the concerned Respondent

Authorities. The entire exercise to be completed within 12 weeks from filing representation by the petitioners.

7. The parties shall act upon authenticated copy of this order.

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

sga/