

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10118 OF 2014

Smt.Sapana Nagnath Malabade

...

...Petitioner

v/s.

President,

Kailaswasi Rajesh Kothe Primary School

and ors.

...Respondents

...

Mr.A.B.Tajane for the Petitioner.

Mr.Shrishail Sakhare for the Respondents.

...

CORAM : NARESH H. PATIL &

A.A.SAYED, JJ.

DATED : 9 FEBRUARY 2016

PC.:

It is submitted that the Petitioner was appointed as an Assistant teacher on 27 July 2010. This date is disputed by the Management. According to learned Counsel for the Management the Petitioner was appointed on 19 February 2011.

2. The Petitioner's grievance is that her increment for the period between July 2013 to July 2014 was not given to her. Repeatedly representations were made to the Higher Authorities, but no decision was taken. Learned Counsel for the Petitioner brought to our notice an order dated 7 March 2014 of the Deputy Director of Education addressed to the Education Officer, Primary, Zilla Parishad. Pursuant to the said order the Education Officer had not conducted hearing and no decision has been communicated.

3. We have heard the learned Counsel appearing for the Management. Both the Counsel submit that in case a fresh hearing is ordered, the parties would co-operate with the Education Officer.

4. Considering the documents placed on record and the submissions so advanced we pass following order:

ORDER

(i) We direct the Education Officer, Primary, Zilla Parishad, Solapur to hear the Petitioner and the representative of the Management in respect of the grievance of the Petitioner afresh.

(ii) The Education Officer shall decide the issue after scrutinizing the entire record and hearing the parties on its own merits.

(iii) We direct the Education Officer to decide the claim of the Petitioner within three months from today.

(iv) The Petitioner and the Representative of the Management shall appear before the Education Officer on 16 February 2016 at 11 a.m.

(v) It is clarified that we have not expressed any opinion on the claim of the Petitioner.

5. The Petition is disposed of.

(A.A. SAYED, J.)

(NARESH H. PATIL J.)