

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5427 OF 2014

...

Smt. Leena Shivaji Kshirsagar	...Petitioner
v/s.	
The State of Maharashtra & ors.	...Respondents
...	
Mr. N. V. Bandiwadkar for the Petitioner.	
Ms. Neha Bhide, AGP for State-Respondents Nos. 1 & 2.	
...	

**CORAM : NARESH H. PATIL &
A.A.SAYED, JJ.**

DATED : 1 MARCH 2016

P.C.:

The Petitioner claims to have been appointed on 6 August 2007 as a teacher for a period from 7 August 2007 to 30 April 2008. Thereafter the Petitioner claims to have been appointed on 4 July 2008 for the academic year 2008-09 at Rs.5000/- p.m. honorarium. Thereafter the Petitioner claims to have been appointed on 30 June 2012 for the academic year 2012-13 on consolidated salary of Rs.9000/- p.m. The learned Counsel submits that earlier to 2012 the Petitioner was appointed on year to year basis on honorarium pay scale.

2. The grievance of the Petitioner is that consequent to the appointment order dated 30 June 2012 the Petitioner has not been paid consolidated honorarium of Rs.9000/- p.m. The Petitioner admittedly did not receive any appointment order thereafter.

3. The Petition is filed for recovery of unpaid consolidated honorarium.

For the said purpose the Petitioner could have resorted to efficacious alternate remedy by approaching the Forum which would investigate into question of fact. However, in the facts of the case the Respondent No.2- Deputy Director of Education, Nasik Region, Nasik to issue notice to the concerned persons, call for the record and hear the parties on the issue of non-payment of consolidated honorarium and thereafter issue necessary direction, if necessary. This exercise may be completed within three months. In spite of notice, the Management has chosen to remain absent before this Court. The Petition is pending since 2014.

4. The Petition is disposed of in the above terms.

(A.A. SAYED, J.)

(NARESH H. PATIL J.)