

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.12667 OF 2015

Priyanka Sayasrao Dhakne

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

...

Mr. L.S. Deshmukh for the Petitioner.

Mr. V.M. Mali, A.G.P. for Respondent Nos.1 and 2.

Mr. P.B. Kulkarni for Respondent Nos.3 and 4.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 1st AUGUST, 2016.

P. C. :

Heard the learned counsels appearing for the respective parties.

2. By this petition, the Petitioner is challenging the orders dated 18th/26th February, 2015, 21st May, 2015 and 30th June, 2015 passed by the Education Officer, Zilla Parishad, Ratnagiri. Wherein the proposal of Respondent No.4, Education Institution to pay to the Petitioner regular pay scale is rejected. The Petitioner is appointed as Shikshan Sevak on 18th July, 2011 by Respondent No.3 in Respondent No.4-school. She was appointed as an Assistant Teacher on 17th July,

2014 after completion of three years of Shikshan Sevak and this appointment is also approved by the Education Officer(Secondary), Zilla Parishad, Ratnagiri.

3. The learned counsel for the Petitioner submits that the Petitioner was initially getting regular salary uptill 30th September, 2014. However, subsequently payment of regular salary to her was stopped on the ground that there is no work load and as stated above, the representations filed by Respondent No.4 came to be rejected.

4. Mr. Deshmukh, the learned counsel for the Petitioner as well as Mr. Kulkarni, the learned counsel for Respondent No.3 and Mr. Mali, the learned A.G.P for Respondent -State do not dispute that from 31.5.2013 there is a work load with Respondent No.4-school and therefore the Petitioner is entitled for regular salary.

5. In the above circumstances, the impugned orders cannot be sustained. Same are hereby quashed and set aside with further directions.

6. Respondent No.2-Education Officer (Secondary), Zilla Parishad, Ratnagiri to consider the Respondent No.3's proposal dated 1st April, 2015 afresh. The Education Officer (Secondary), Zilla

Parishad, Ratnagiri shall take the decision as expeditiously as possible and preferably within a period of four weeks from the date of receipt of this order. Ordered accordingly.

7. Subject to above, the petition stands disposed of.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)