

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 441 OF 2016

Parasram Ramaji Shende and others

-vs-

State of Maharashtra, thr.its Secretary, Department of Education 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. P. P. Thakare, counsel for the petitioners.
 Mr. Ambarish Joshi, AGP for the respondent Nos.1 to 3.
 Mrs. Indira Bodade, counsel for the respondent No.4.
 Mr. S. Raisoddin, counsel for the respondent Nos.5 and 6.

CORAM : SMT. VASANTI A. NAIK &
MRS. SWAPNA JOSHI, JJ.

DATE : 17.06.2016.

By this writ petition, the petitioners have sought a direction to the State Government to appoint an Administrator on the School run by the respondent No.5-Society. The petitioners have also sought a direction to the respondents to pay the regular salary to the petitioners.

It is the case of the petitioners that though the School is brought on 100% grant-in-aid, the Management has sent the salary bills only in respect of 80% salary thereby depriving the petitioners of 20% of their regular salary. It is stated that though some of the petitioners were terminated by the Management, during the pendency of this writ petition, they have challenged the orders of their termination in separate appeals and in those appeals, the Tribunal has granted stay to the orders of termination.

We are not inclined to entertain the writ petition for the direction to the State Government to appoint an Administrator on the School. It would not be proper to grant such a prayer, in exercise of the writ jurisdiction, specially on the basis of the averments made in the writ petition.

It would, however, be necessary to grant the second prayer made by the petitioners. Since the petitioners are working with the respondent Nos.5 and 6, we direct the respondent Nos.5 and 6 to send the salary bills of the petitioners for the unpaid salary for the past couple of months and send the monthly salary bills to the Zilla Parishad so that the salary could be paid to the petitioners regularly. Since it is informed that the respondent No.5 and 6 had sent the salary bills only to the extent of 80% of salary, the respondent Nos.5 and 6 are directed to send the salary bills in respect of the remaining salary to the Education Officer, Zilla Parishad, so that the Education Officer would scrutinize the bills and take appropriate steps in respect of payment of salary. We hereby direct the respondent Nos.5 and 6 to regularly send the monthly salary bills of the petitioners to the Zilla Parishad, so that the payment of salary to the petitioners is ensured every month.

With the aforesaid observations and directions, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE