

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

WRIT PETITION NO.1537 OF 2015.

Ku.Purnima d/o Ramchandra Chaware and anr.

..VS..

The Education Officer (primary) and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr.P.N.Shende, Advocate for the petitioners.
Mr.Majid Shaikh, Advocate for respondent no.1.
Mr.V.N.Patre, Advocate for resp.2 and 3.

**CORAM : B.P.DHARMADHIKARI AND
P.N.DESHMUKH, JJ.**

DATED : APRIL 18, 2016.

This Court while issuing notice found prima facie that the petitioners may be entitled to claim salary from 11th of February, 2012 till 6th of December, 2012. The services of petitioners were terminated and that termination was questioned before the School Tribunal. It appears that School Tribunal had allowed that appeal and said order is assailed by the Management. We need not go into that facet of controversy.

Here, petitioners point out that their employment was duly approved by Education Officer (Primary) as per order dated 21st of June, 2012.

The respondent nos.2 and 3 have filed reply-affidavit pointing out that petitioners were never selected and were not working. They submit that list of teachers actually working was duly forwarded to Education Officer and Education Officer has granted them approval on 9th of December, 2013. Approval granted is from 1st of October,

2009.

Advocate Shaikh appearing for respondent no.1 -Education Officer is seeking time to explain how order dated 9th of December, 2013 came to be passed in the wake of order dated 21st of June, 2012.

We find that some disputed questions arise. Hence, with liberty to petitioners to raise that grievance before competent forum where it can be resolved in accordance with law and without observing anything on merits on rival contentions, we dispose of the writ petition.

However, Chief Executive Officer of Zilla Parishad Nagpur shall hold an enquiry as to how inconsistent orders granting approval came to be issued by the office of respondent no.1.

JUDGE

JUDGE

Chute.