

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2211 OF 1996
(Nanabhau Deoram Sirsath Vs. State of Maharashtra and others)

Petitioner served.
Mr.P.D.Bachate, Advocate for the respondent No.2.
Mr.S.K.Tambe, AGP for the State.

(CORAM : Ravindra V.Ghuge, J.)

DATE : 03/08/2017

PER COURT :

1. The petitioners herein have challenged the order dated 08/12/1994 by which the Deputy Director of Nasik Division has informed the Chief Officer, Shirpur Warwade Municipal Council, Shirpur that, as there is a ban on filling in posts of the institutions operated by the State instrumentalities, vide Government decision dated 04/09/1986 and 16/06/1987, the salary and allowances of these petitioners, who have been appointed after 16/06/1987, shall be frozen and their appointments would be banned. The petitioners are also challenging the order dated 03/01/1994 issued by the Chief Officer of the Shirpur Warwade Municipal Council informing the Head Master of the School regarding the freezing of their salaries.

2. The record reveals that these petitioners have been terminated

by orders dated 16/01/1995 issued by the Adi Janta Vidya Prasarak Mandal, respondent No.4 herein.

3. This petition was heard at Bombay before the Dhule District was attached to the jurisdiction of the Aurangabad Bench. Interim relief in terms of prayer clause 'C' and 'D' was granted by this Court thereby staying the operation of the impugned order dated 08/12/1994 and the respondents were directed to sanction the salary of the petitioners w.e.f. December 1994 regularly.

4. After transfer of this petition (Old No.706/1995), notices were issued by this Court. The Bailiff Report indicates that the petitioners were served with the Court notice. Yet, no appearance has been entered either through an Advocate or in person.

5. Considering the above, since this petition was adjourned from time to time and was posted for dismissal today, this petition stands dismissed in default. Rule is discharged.

(Ravindra V.Ghuge, J.)