

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6142 OF 2016
WITH
CIVIL APPLICATION NO.12461 of 2016
IN
WRIT PETITION NO. 6142 OF 2016
AND
CIVIL APPLICATION NO. 1402 OF 2017
IN
WRIT PETITION NO. 6142 OF 2016
(Supriya Madhukar Ingle and others Vs. The State of
Maharashtra and others)
WITH
WRIT PETITION NO. 2241 OF 2016
(Jokey Peter Ghule and others Vs. The State of
Maharashtra and others)
WITH
CIVIL APPLICATION NO.1403 OF 2017
IN
WRIT PETITION NO.2241 OF 2016
(Deepika d/o Dasharath Bansode and others Vs. The State
of Maharashtra and others)

Ms.Surekha Mahajan, Advocate for the petitioners/
applicants in both writ petitions and in all civil
applications

Mr.P.V. Mandlik, Senior Advocate, for respondent
Nos. 1 to 4 in both writ petitions

CORAM : S.V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.

DATE : 26th APRIL, 2017

ORAL ORDER :

The grievance of the petitioners is about non-
payment of salary. They are also seeking directions to

the respondents to allow the petitions to perform their duties and conduct the performance appraisals.

2. We have heard Ms. Surekha Mahajan, the learned counsel for the petitioners and Mr.P.V. Mandlik, the learned Senior Counsel for the respondents.

3. The petitioners, it seems, are appointed on contract basis for a period of three years with further conditions that the performance appraisal will be conducted and if the performance of the petitioners is found satisfactory, then they would be continued for further two years.

4. Mr. Mandlik, the learned Senior Counsel for the respondents, on instructions, submits that those petitioners whose appraisal reports are satisfactory would be continued for further period of two years and those petitioners whose appraisal reports are not satisfactory, would not be continued.

5. Further grievance of the petitioners is that their performance appraisals are not being done by the District Child Protection Officer ("DCPO", for short).

According to Mr. Mandlik, the learned Senior Counsel, the performance appraisal is done by the DWCPD.

6. The statement that those petitioners, whose performance is satisfactory, would be continued for further two years, would serve the purpose of the petitioners.

7. As far as payment of salary/honorarium is concerned, the petitioners who have rendered their service will be entitled for the same. If pursuant to the interim orders passed by this Court, the petitioners are serving, then also they are entitled for the payment of salary/honorarium. The respondents shall pay the petitioners, who have worked and are working, the salary/honorarium as is admissible to them, within a period of three months. The petitioners, whose appraisal reports are not satisfactory, they are at liberty to make representations in respect of the negative appraisal, which would be decided by the Authority concerned expeditiously and preferably within six weeks from the date of receipt of the representation/s.

8. With the above observations and directions, both the writ petitions are disposed of. No costs.

9. In view of disposal of the Writ Petitions, the pending Civil Applications stand disposed of.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE

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