

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 7615 OF 2016

Ashok s/o. Arjunrao Khillare .. Petitioner

Versus

The State of Maharashtra & Ors. .. Respondents

Mr.R.D. Biradar, Advocate for the petitioner.

Mr.S.G. Karlekar, AGP for respondent/State.

Mr.R.T. Nagargoje h/f. Mr. M.V. Nagargoje, Advocate for respondent Nos. 3 & 4.

**CORAM : S.V.GANGAPURWALA &
S.M.GAVHANE, JJ.**

DATED : 30.11.2017

P.C. :-

1. Heard learned Counsel for the respective parties and learned AGP. The petitioner claims payment of honorarium salary of Rs.6000/- (Rupees Six Thousand) per month for the period from 01.02.2013 to 22.08.2015. It appears that the parties are not ad idem that who should make the payment. Respondent Nos.2 to 4 filed affidavit stating that the amount which is received from the Director of Minority Adult Education, Pune i.e. Rs.6000/- p.m. is directly deposited in the account of Taluka Lok Shikshan Samiti, Selu and the same is paid to the petitioner. Remaining payment of 15 months is not received from the higher authority. The fund is not in

the custody of respondent Nos.2 to 4 and that was only the controlling authority.

2. Learned AGP today has placed on record a communication issued by the Director, Minority and Adult Education Directorate, Maharashtra State to the Education Officer stating that the honorarium is to be paid from the grants which are disbursed to the Education Officer. The fact remains that even after lapse of two years, the amount is not paid to the petitioner.

3. Respondent No.3 shall ascertain the period for which the petitioner has worked and the period for which the petitioner is not paid honorarium. Respondent Nos.1 to 5 shall make payment to the petitioner within a period of six months.

4. The writ petition is disposed of. No costs.

[S.M.GAVHANE, J.]

[S.V.GANGAPURWALA, J.]