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

WRIT PETITION NO.4458 OF 2012

Datta s/o Namdeo Gaware ... PETITIONER

VERSUS

The State of Maharashtra and others ... RESPONDENTS

.....
Shri M.C. Syed, Advocate for petitioner
Shri Y.G. Gujarathi, A.G.P. for respondents No.1 and 2
Shri B.A. Shinde, Advocate for respondent No.3
.....

CORAM: RAVINDRA .V. GHUGE AND
 SUNIL K. KOTWAL, JJ.

DATED : 2nd NOVEMBER, 2017.

ORAL ORDER :

1. Learned counsel for the petitioner submits, on instructions, that on account of subsequent developments, the grievance of the petitioner is redressed and this petition can be disposed of. He, however, states that, as the petitioner retired in January 2017, upon attaining the age of superannuation, his pending salary for the months from October 2016 till the date of his retirement will have to be paid through the salary grants by the Education Officer.

2. The learned counsel appearing on behalf of the Education Officer (Primary), respondent No.3 herein, submits that, till September 2016 all the bills submitted by the employer of the petitioner namely Annabhau Sathe Primary School, Jintur have been cleared and the payments have been made to the petitioner. He, however, submits that, as the said school is not arrayed as a respondent in this matter, the Education Officer can call upon the said school to submit the salary bills of the petitioner for the unpaid period of about four months, and after receiving the salary bills, the payment of salary could be done.

3. Considering the above, this petition is disposed of. Respondent No.3 shall accordingly direct the petitioner's employer school to submit the salary bills of the petitioner for the period from October 2016 till the retirement of the petitioner in January 2017, within four weeks and after receiving the said bills, he would sanction the payment of salary within four weeks.

(SUNIL K. KOTWAL)
JUDGE

(RAVINDRA .V. GHUGE)
JUDGE

fmp/