

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

28 WRIT PETITION NO. 5869 OF 2015

JITENDRA MADHAVRAO PARMAR AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. Deshpande Ajay S.

AGP for Respondents State: Mrs. V. H. Patil

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 17th January, 2017

ORDER:

1. The present writ petition is filed assailing the communication dated 01.04.2015, whereby the appointment of the petitioners on the post on which they were working was held to be inadmissible, consequently, not liable to be continued. This Court, on 29.09.2015, directed respondent No.1 to cause enquiry in respect of all those officers who were involved in approving the services of the petitioners and also releasing grants from time to time, as it was after 23 years of the appointment of the petitioners, such communication was received.

2. An affidavit has been filed by respondent Nos.1 and 2 thereby clarifying that services of the petitioners now are absorbed with the other Institutions

having admissible posts. In view of that major grievance of the petitioners has been redressed.

3. Now the only grievance is that the petitioners are not paid salary for the month of May, 2015 and some petitioners, apart from non payment of salary for the month of May, 2015, have not been paid salary from 14.10.2015 for 8 to 10 days.

4. Respondent No.4 shall submit proposal with the Authority with regard to the payment of salary of the petitioners for May, 2015.

5. The petitioners are absorbed with the different Institutions/Colleges under order dated 9th October, 2015. Salary since 14.10.2015 for a period of 8 to 10 days is not paid to some of the petitioners. The said Institutions/Colleges where the petitioners are absorbed shall forward the proposal, with regard to the payment of salary of the petitioners in respect of the period from 14.10.2015 till the date the petitioners are not paid salary, to the concerned Authority. The concerned Authorities shall consider the proposals and pass appropriate orders on them.

6. It is made clear that the petitioners shall be

entitled for continuity in service from the initial date of their appointment with respondent No.4 with all other consequential benefits arising therefrom

7. Writ petition is accordingly disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)

JPC