

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

WRIT PETITION NO. 401 OF 2012

Smt. Maimuna Begum Shaikh Ahmed,
Age 46 years, Occu. Assistant Teacher,
R/o. Bhat Galli, Degloor, Tq. Degloor,
Dist. Nanded. **...Petitioner.**

Versus

1. The State of Maharashtra,
Through its Secretary,
School Education Department,
Mantralaya, Mumbai-32.
2. The Education Officer (Primary),
Zilla Parishad, Nanded,
District Nanded.
3. The Superintendent,
Pay Unit (Primary),
Zilla Parishad, Nanded,
District Nanded.
4. Hajee Mohd. Magdoom Urdu
Primary School, Degloor,
Tq. Degloor, District
Nanded.
Through its Head Master.
5. The Secretary,
Dr. Zakir Hussain Shikshan
Prasarak Mandal, Atkali,
Tq. Biloli, District
Nanded.
6. The President,
Dr. Zakir Hussain Shikshan
Prasarak Mandal, Atkali,
Tq. Biloli, District

Nanded.

....Respondents.

WITH
WRIT PETITION NO. 387 OF 2012

1. Iftekhar Ahmed Shaikh Ameen,
Age 39 years, Occu. Assistant Teacher,
R/o. Ekatanagar, Bhaigaon Road,
Degloor, Tq. Degloor,
Dist. Nanded.
 2. Abdul Saleem Abdul Rauf,
Age 39 years, Occu. Assistant Teacher,
R/o. Ekatanagar, Bhaigaon Road,
Degloor, Tq. Degloor,
Dist. Nanded.
- ...Petitioner.

Versus

1. The State of Maharashtra,
Through its Secretary,
School Education Department,
Mantralaya, Mumbai-32.
2. The Education Officer (Primary),
Zilla Parishad, Nanded,
District Nanded.
3. The Superintendent,
Pay Unit (Primary),
Zilla Parishad, Nanded,
District Nanded.
4. Hajee Mohd. Magdoom Urdu
Primary School, Degloor,
Tq. Degloor, District
Nanded.
Through its Head Master.
5. The Secretary,
Dr. Zakir Hussain Shikshan
Prasarak Mandal, Atkali,

Tq. Biloli, District
Nanded.

6. The President,
Dr. Zakir Hussain Shikshan
Prasarak Mandal, Atkali,
Tq. Biloli, District
Nanded.

....Respondents.

Mr.S.G. Rudrawar, Advocate for petitioners.

Mr.A.R. Kale, A.G.P. for respondent No. 1/State.

Mr.S.B. Pulkundwar, Advocate for respondent Nos. 2
& 3.

Mr.V.J. Dhage, Advocate for respondent No. 5.

**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.**

DATED : February 08, 2017.

ORAL JUDGMENT :

Rule. Rule made returnable forthwith. By
consent, heard both the sides for final disposal.

2) The proceedings are filed only for
seeking directions against the respondents,
including the employer - Educational Institution
and the Head Master of school where the
petitioners are working. The directions are sought
against them that they should take decision on the

applications made for giving annual increments, for release of the increments and to supply copy of service book.

3) The submissions made by the learned counsel for Institution show that there is some dispute between the Management and the Head Master. For Institution, it was submitted that it is the duty of Head Master under the Maharashtra Employees of Private Schools (Condition of Service) Regulation Rules, 1981 to maintain and create such record and also pass necessary orders on such applications, but due to dispute the Head Master is not discharging his duty.

4) It appears that the Head Master has appointed one counsel, but he has not turned up. In view of the limited reliefs claimed, this Court holds that it is not desirable to keep both the matters pending in this Court.

5) In the result, both the petitions are allowed. The Head Master is hereby directed to see that the steps are taken to take decision on the applications made for grant of annual increments and also on applications made for supply of copy of service book. Respondent Nos. 1 and 2 are expected to see that the order is complied with and if it is not complied with, necessary action is taken against the Head Master and the Institution. In those terms, the petitions are disposed of.

Rule is made absolute in aforesaid terms.

[SANGITRAO S. PATIL, J.] [T.V. NALAWADE, J.]

ssc/