

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**WRIT PETITION NO. 568 OF 2017.**

(Ganesh Bugalrao Deshmane .vs. The Education Officer (Secondary), Z.P.
Buldana & others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. K.P. Mahalle, Advocate for petitioner,
Mr. A.A. Madiwale, A.G.P. for respondent no.1,
Mr. A.A. Naik, Advocate for respondent no. 3.

CORAM : B.P. DHARMADHIKARI & ROHIT B. DEO, JJ.

DATED : JULY 4, 2017.

The petitioner has not received salary as his pay bill has not been furnished to respondent no.1 by respondent no.3. Mr. A.A. Naik, learned Advocate for respondent no. 3, submits that there is a specific direction issued by Education Officer to submit the pay bills as per staff justification for the year 2013-14. If the staff justification is perused, according to respondent no.3, petitioner could not have been continued on roll of respondent no.3 school in that year.

Petitioner is disputing this. He is relying upon some subsequent letters issued by Education Officer.

Petitioner in fact has been later declared surplus, has been absorbed in other school and is receiving salary as Assistant Teacher with due approval.

Question, therefore, is of intervening period of about 17 months when he was with respondent no.3.

Hence, without prejudice to rival contentions, we direct the respondent no.3 to draw salary bill of petitioner for the said period of about 17 months and to submit it to respondent no.1 within four weeks from today. The respondent no.1 shall thereafter examine it independently and pass suitable orders upon it in next two months.

With these directions, we dispose of Writ Petition.

Judge

Judge

J.