

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

969 WRIT PETITION NO. 1551 OF 2018

SADANAND DILEEP MAJGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. V.S. Panpatte
AGP for Respondents: Mr. C.S. Kulkarni

CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.

DATE : 3rd May, 2018.

PER COURT:-

1] Heard. Rule. With the consent of parties, taken up for final hearing at the stage of admission.

2] There is no dispute that the petitioner has been appointed as Shikshan Sevak in the respondent No.4 school since 1.1.2012. The petitioner holds educational qualification as HSC, D.Ed., which is the requisite qualification for the post of Primary Teacher. The Education Department also accorded approval to the appointment of the petitioner by order dated 15.9.2014. The order recording approval to the appointment of the petitioner and the order of granting confirmation dated 9.2.2015 passed by the Education Officer has not been recalled. There is absolutely no reason disclosed for not including the name of the petitioner in the pay bills. The action of the respondents does not appear to be proper.

3] The petitioner as long as he is employed with the respondent No.4 is entitled to receive monthly salary. In the circumstances, the petition deserves to be allowed and the same is accordingly allowed. The directions contained in communication dated 5/8th January, 2018 issued by respondent No.3 directing not to include the name of the petitioner in the pay bills for the post of Primary Teacher is quashed and set aside. The respondents shall

pay regular salary of the petitioner and shall also pay the arrears as expeditiously as possible, preferably within 8 weeks from today.

4] Rule is made absolute in above terms. Writ petition stands disposed of accordingly.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-