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

WRIT PETITION NO.2439 OF 2018

1. Smt. Surekha Dilip Kulkarni,
Age: 56 years, Occu: Service,
2. Smt. Ujwala Ashok Jadhav,
Age: 54 years, Occu: Service,
3. Smt. Veena Shrikrishna Pawar,
Age: 54 years, Occu: Service,
4. Smt. Chandrajyoti Ramchandra Auti,
Age: 56 years, Occu: Service,
5. Smt. Savita Jayant Mule,
Age: 48 years, Occu: Service,
6. Smt. Vandana Sudhir Rasal,
Age: 49 years, Occu: Service,
7. Smt. Alka Vasudeo Bangale,
Age: 48 years, Occu: Service,
8. Smt. Sangita Arvind Jahagirdar,
Age: 50 years, Occu: Service,
9. Smt. Seema Vijayrao Kulkarni,
Age: 51 years, Occu: Service,
10. Smt. Shila Ashokchand Rathod,
Age: 44 years, Occu: Service,
11. Smt. Anuradha Pravin Pande,
Age: 41 years, Occu: Service,
12. Smt. Anupama Avinash Bugdani,
Age: 47 years, Occu: Service,
13. Smt. Savita Vishwanath Pawar,
Age: 46 years, Occu: Service,

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14. Smt. Sangita Sanjay Ronghe,
Age: 50 years, Occu: Service,
15. Smt. Lata Sarjerao Musale,
Age: 55 years, Occu: Service,
16. Smt. Shobha Subhash Borikar,
Age: 49 years, Occu: Service,
17. Smt. Alka Dattatraya Kalkote,
Age: 49 years, Occu: Service,
18. Smt. Vaishali Aniruddha Deshpande,
Age: 39 years, Occu: Service,
19. Smt. Hemlata Chandrakant Pawar,
Age: 44 years, Occu: Service,
20. Smt. Sunita Sangharsh Choudhari,
Age: 40 years, Occu: Service,
21. Smt. Veena Vijayrao Sewalikar,
Age: 52 years, Occu: Service,
22. Smt. Sunita Sheshrao Jadhav,
Age: 35 years, Occu: Service,
23. Smt. Sanjivani Kashinath Lahase,
Age: 37 years, Occu: Service,
24. Smt. Smita Sheshrao Rathod,
Age: 33 years, Occu: Service,
25. Smt. Anjali Vasudeo Mulate,
Age: 37 years, Occu: Service,
26. Smt. Mangala Kisanrao Dandge,
Age: 45 years, Occu: Service,
27. Smt. Vaishali Vishnupant Dhamangaonkar,
Age: 41 years, Occu: Service,
28. Smt. Suman Sopanrao Gaikwad,
Age: 57 years, Occu: Service,

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29. Smt. Mangala Vilas Bhawar,
Age: 49 years, Occu: Service,
30. Smt. Ratna Balkrishna Kothawade,
Age: 56 years, Occu: Service,
31. Smt. Jyotikiran Narayanswami Aawale,
Age: 45 years, Occu: Service,
32. Smt. Ujwala Madhukar Vyawahare,
Age: 41 years, Occu: Service,
33. Smt. Sunita Jayant Nerlekar,
Age: 57 years, Occu: Service,
34. Smt. Shakuntala Sahebrao Shinde,
Age: 42 years, Occu: Service,
35. Smt. Manisha Shriram Hajare,
Age: 35 years, Occu: Service,
36. Smt. Sadhana Vishwanath Gorade,
Age: 44 years, Occu: Service,
37. Smt. Jyoti Padmakar Kathar,
Age: 34 years, Occu: Service,
38. Smt. Swati Laxman Pund,
Age: 30 years, Occu: Service,

(P-1 to P-38) All are serving as Asst. Teacher
in Shree Sharda Mandir Kanya Prashala,
Aurangabad, Tq. Dist. Aurangabad

39. Joshi s/o Ashok Yashwantrao,
Age: 51 years, Occu: Service, Clerk
O/A Shree Sharda Mandir Kanya Prashala,
Representative of Non-teaching staff,
Aurangabad, Tq. Dist. Aurangabad
40. Smt. Rekha Udhav Bhawalgaonkar,
Age: 54 years, Occu: Headmistress,
Representative of teaching and non-teaching
staff of Shree Sharda Mandir Primary School,
Aurangpura, Aurangabad

..PETITIONERS

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VERSUS

1. The State of Maharashtra,
Through Chief Secretary,
Mantralaya, Mumbai-32
2. The State of Maharashtra,
Through Principal Secretary,
School Education Department,
Mantralaya, Mumbai-32
3. The Director of Education,
State of Maharashtra,
Pune
4. The Deputy Director of Education,
Aurangabad Division,
Aurangabad
5. Education Officer (Secondary),
Zilla Parishad, Aurangabad,
Dist. Aurangabad
6. Education Officer (Primary),
Zilla Parishad, Aurangabad,
Dist. Aurangabad

..RESPONDENTS

Mr D. D. Deshmukh, Advocate holding for Mr G. K. Thigale (Naik),
Advocate for petitioners;
Mr G. O. Wattamwar, A.G.P. for respondent Nos.1 to 5;
Mr S. A. Gaikwad, Advocate holding for Mr D. K. Rajput, Advocate for
respondent No.6

**CORAM : PRASANNA B. VARALE
AND
MANISH PITALE, JJ.**

DATE : 30th August, 2018

ORAL ORDER:

Heard Mr Deshmukh, learned Counsel holding for Mr Thigale,
learned Counsel for petitioners, learned Asstt. Govt. Pleader for respondent

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Nos.1 to 5 and Mr Gaikwad, learned Counsel holding for Mr Rajput, learned Counsel for respondent No.6.

2. The grievance of the petitioners raised in the petition was against the action of withholding their salary by the respondent-authority and as such it is prayed before this Court to direct the respondents to release their salary.

3. On earlier date i.e. on 23rd August, 2018, Mr Thigale, learned Counsel for the petitioners fairly submitted that part of the grievance raised in the petition is redressed and there is only a part remaining. Learned Counsel appearing for respondent No. 6 - Education Officer (Primary), Zilla Parishad, Aurangabad submitted that a proposal is submitted to the Director of Education and prays time to place on record the necessary documents in support of his submission.

4. Learned Counsel appearing for respondent No.6 - Education Officer (Primary) invited our attention to the affidavit-in-reply. The statement is made in the affidavit-in-reply at paragraph No.3 that the payment of salary from the month of November, 2016 to February, 2017 is considered as arrears of salary and the permission of the Director of Education (Primary), Pune is required to be solicited for disbursement of payment as per the Government Resolution dated 15th January, 2017, issued by the State of Maharashtra. It is also submitted that a proposal is submitted to the Director of Education (Primary), Pune on 16th May, 2018 for approval to make

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payment of arrears of salary of the petitioners. It is then stated that as soon as the proposal is approved, the process of disbursement of payment of arrears of salary will be completed without any delay, subject to availability of funds.

5. Along with the affidavit-in-reply, a copy of said proposal submitted to the Director of Education (Primary) is placed on record. Perusal of the said document shows that on 16th May, 2018, a proposal is submitted along with all requisite information in the prescribed format.

6. In view of the aforesaid facts, in our opinion, the petition can be disposed of with directions to the Director of Education i.e. respondent No.3 to take appropriate decision on the proposal dated 16th May, 2018, received by him, as expeditiously as possible and not later than six weeks from the date of this order.

7. These directions, in our opinion, would meet the ends of justice and would cause no prejudice to the respondents-authorities.

Accordingly, the petition is disposed of.

(MANISH PITALE, J.)

(PRASANNA B. VARALE, J.)