

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

WRIT PETITION NO. 7753 OF 2015

Digambar Hari Mane and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Prakashsing B. Patil, Advocate for Petitioners.

Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 to 6.

Shri J. R. Shah, Advocate for Respondent Nos. 7 and 8.

**CORAM : S. V. GANGAPURWALA AND
S. M. GAVHANE, JJ.**

DATE : 23RD AUGUST, 2018.

FINAL ORDER :

. Mr. Patil, the learned advocate for petitioners submits that, services of the petitioners on 30th April, 2007 were regularized with effect from initial date of appointments. The petitioner No. 1 was appointed on 01.07.1998 and petitioner Nos. 2 to 5 were appointed on 15.11.1997 as assistant teachers on adhoc basis. The learned counsel submits that, Writ Petition No. 1901 of 1999 was filed by petitioners along with one Smt. Asha Madhukar Pingale. According to the learned counsel, as their claims were under consideration with the State Government, petitioners filed pursis for withdrawal of the writ petition. In the pursis it was clearly mentioned that the claims of petitioners are

under consideration with the Government. However, Smt. Asha Pingale continued with the writ petition. This Court under order dated 09.12.2013 allowed the writ petition and directed the Education Officer (Secondary) to take appropriate decision in the matter and if Education Officer proceeds to hold that the petitioner No. 2 i. e. Smt. Asha Pingale is eligible to receive salary amount, it shall be released and paid to the petitioner within a period of four months. Pursuant thereto proposal was submitted and it is stated that, the Education Officer has granted said proposal and given pay scale and arrears to Smt. Ashal Madhukar Pingale for the period since the date of appointment till the date of regularization. The proposal of the petitioners is also forwarded on 09th March 2012 for payment of the arrears. Same is not considered by the Education Officer.

2. The Education Officer shall consider the proposal for payment of arrears to petitioners from the initial date of appointment till the date of regularization within a period of four (04) months from today on similar lines that of Smt. Asha Madhukar Pingale. The writ petition is accordingly disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]