

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3231 OF 2018

Vaijyanhti D/o Tukaram Patil,
Age : 33 years, Occu. Service as
Care Taker, Muk Badhir Niwasi
Vidyalaya, Majalgaon,
Tal. Majalgaon, Dist. Beed,
R/o Majalgaon, Tq. Majalgaon,
District Beed.

...PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary,
Social Welfare Department,
Mantralaya, Mumbai.
2. The Commissioner of Disabled,
Maharashtra State, Pune.
3. The Chief Executive Officer,
Zilla Parishad, Beed.
4. District Social Welfare Officer,
Zilla Parishad, Beed.
5. Janartha Shikshan Prasarak
Mandal, Yellamb Ghat,
Tal. Kaij, District Beed,
Through its Secretary/President.

...RESPONDENTS

Advocate for Petitioner : Mr. S.S. Thombre
AGP for Respondents: Mr. P.N. Kutti
Adv. for Respondent no. 3 & 4 : Mr. B.T. Bodke

WITH
WRIT PETITION NO. 3165 OF 2018

Mahesh S/o Damodhar Todkar,
Age : 42 years, Occu. Teacher at
R/o Kumbhephal, Post. Ambasakhar,
Tal. Ambajogai, Dist. Beed.

...PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Principal Secretary,
Social Welfare Department,
Mantralaya, Mumbai.
2. The Commissioner of Disabled,
Maharashtra State, Pune.
3. The Chief Executive Officer,
Zilla Parishad, Beed.
4. District Social Welfare Officer,
Zilla Parishad, Beed.
5. Janartha Shikshan Prasarak
Mandal, Yellamb Ghat,
Tal. Kaij, District Beed
Through its Secretary/President.

...RESPONDENTS

Advocate for Petitioner : Mr. S.S. Thombre
AGP for Respondents: Mr. P.N. Kutti
Adv. for Respondent no. 3 & 4 : Mr. B.T. Bodke

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

DATE : 5th April, 2018.

ORAL JUDGMENT :-

Rule. With the consent of parties petition is taken up for final hearing at the stage of admission.

The issue raised in the petition is no more res-integra and is covered by the decision recorded by this court in Writ Petition No. 4618 of 2017 decided on 19.12.2017 as well as Writ Petition No. 1984 of 2018 and other companion matters decided on 23.2.2018.

For the reasons recorded in the aforesaid judgment, the instant petitions deserve to be allowed and the same are accordingly allowed. The

communication issued by the Education Officer to the concerned management, directing the management to terminate the services of the petitioners is quashed and set aside. In the event the authorities concerned propose to terminate the services of the petitioners, the same shall not be done without extending an opportunity of hearing to the petitioners. The petitioners are entitled to receive the salary, if remained unpaid. The same shall be disbursed to the petitioners as expeditiously as possible and preferably within a period of 8 weeks.

Rule is made absolute accordingly. There shall be no orders as to costs.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-