

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

WRIT PETITION NO.6345 OF 2017

Shaikh Hajumiya Pattusaheb

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr.A.D.Pawar, Advocate for Petitioner

Mr.A.V.Deshmukh, A.G.P. for Respondent Nos. 1, 2 and 4

**CORAM : S.V.GANGAPURWALA AND
A.M.DHAVAL, JJ.**

DATE: APRIL 24, 2018

PER COURT :

1. Respondent No.5 though served, is absent.
2. The grievance of the petitioner is that though the approval is granted to the appointment of the petitioner as a 'Shikshan Sevak' from 01.12.2011 to 30.11.2014, the salary is not paid to the petitioner and even further salary as an Assistant Teacher is not paid.
3. According to the A.G.P., the Management has to submit the salary bills online and then only the payment could be made. The respondent has not received any proposal from the institution seeking approval to the appointment of the

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petitioner as an Assistant Teacher. According to the petitioner, the proposal is submitted seeking approval to the appointment of the petitioner as an Assistant Teacher in June, 2015.

4. It does not appear that there is dispute on merits of the matter at present. As far as honorarium/salary for the period 01.12.2011 to 30.11.2014 is concerned, the respondents in their affidavit have suggested that if online salary bills are submitted then the same could be processed and paid.

5. Respondent No.5 shall submit the online salary bills of the petitioner from 1st December, 2011 to 30th November, 2014 as a 'Shikshan Sevak' within a period of six weeks from today. On receipt of the online salary bills, the authority shall process the same and if there is no other implement, shall make the payment thereof.

6. Respondent No.5 shall submit the fresh proposal seeking approval to the appointment of the petitioner as an 'Assistant Teacher' within a period of six weeks from today. On receipt of the said proposal, the competent authority shall take decision upon the said proposal on its own merits in accordance with law preferably within 4 months from the date of receipt of proposal.

7. Depending upon the order passed on the proposal seeking approval to the appointment of the petitioner as an Assistant Teacher, the further steps be taken.

8. The petitioner shall communicate this order to respondent No.5.

9. The writ petition is accordingly disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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