

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7589 OF 2017

Nagorao Narsingrao Londhe

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri R. K. Ashtekar, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl. G. P. for Respondent Nos. 1 to 4.

Shri Suresh M. Kulkarni, Advocate for Respondent No. 5.

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.**

DATE : 26th February, 2018

PER COURT :

1. The petitioner states that the period from 22.10.2008 to 31.3.2011 be treated as regular service as the petitioner can be placed under suspension for the period the petitioner was behind the bars. The period the petitioner was not allowed to join by the respondent No. 5 should be considered as regular service.

2. Mr. Kulkarni, learned advocate for the respondent No. 5 submits that it was under the instructions of the Education Officer, the respondent No. 5 did not allow the petitioner to join. However, under pressure subsequently the petitioner was

allowed to join.

3. Learned A.G.P. submits that the petitioner has not worked for the said period the petitioner was not entitled for the salary.

4. The petitioner was under custody till 21st February, 2009, certainly the period till 21st February, 2009 will have to be considered as suspension period.

5. The respondent No. 5 shall forward the salary bills of the petitioner for the period 22nd February, 2009 till 31st March, 2011 to the Education Officer within a period of four weeks from today. On receipt of the salary bills, the Education Officer shall process the same in accordance with law, expeditiously and preferably within a period of six (6) weeks from the date of receipt of salary bills.

6. The writ petition accordingly stands disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

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