

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

50 WRIT PETITION NO. 14708 OF 2017

GANESH NAGO LINGAYAT AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

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Advocate for Petitioners : Mr.Pawar Ajay D. And Yogesh M Patil
Adv. for respondent no.1 : Mr. D.G.Nagode
AGP for Respondents 2 to 6 : Mr. S.G.Karlekar
Advocate for Respondent nos.7 to 11, 13 and 14 : Mr. C.T.Jadhav

CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.

DATE : JULY 11, 2018

O R D E R :

Petitioners seek absorption as surplus teachers. Petitioners were appointed as special teachers in respondent nos. 4 to 17 schools. The Units where the petitioner are employed does not have any students. There is no work and as such learned counsel submits that the Division Bench of this Court at its Principal seat at Bombay has already considered the issue. The Division Bench of this Court at Aurangabad in Writ Petition No. 1030 of 2016 under order dated 25.8.2017 has considered this issue. The same is also reiterated at the Principal seat in Writ Petition No. 9585 of 2016. The petitioners seek similar benefit.

2. Learned AGP, upon going through the order passed by the

Court, as referred to above, accepts that the petitioners are similarly situated. It is also not disputed that the services of the petitioners are duly approved.

3. In the light of above, we follow the same course. The petitioners shall be absorbed in other Schools and the orders to that effect shall be passed as expeditiously as possible, preferably within a period of two months. The petitioners shall be entitled for the salary of arrears for the period they have worked. The steps shall be taken to make the payment regarding arrears of salary, as expeditiously as possible, preferably within a period of four months.

4. Writ Petition is disposed of accordingly. No costs.

[SUNIL K.KOTWAL, J.]

[S.V.GANGAPURWALA, J.]

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