

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

WRIT PETITION NO. 11457 OF 2014

**DEVKULABAI KONDIBA KARHALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.Ramesh Wakade, Advocate for petitioner
Mr.V.S.Badakh, AGP for respondent nos.1 to 3
Mr.Ganesh Gadhe, Advocate for respondent no.4
Mr.V.D.Gunale, Advocate for respondent nos.5 and 6

**CORAM : S.V. GANGAPURWALA AND
R.G. AVACHAT, JJ.
DATE : OCTOBER 30, 2018**

PER COURT

The contention of learned Counsel for the petitioner is that the petitioner is not allowed to work in the school since 2009. However, the order impugned in this Writ Petition does not deal with that aspect. The impugned order revolves around promotion of the petitioner to the post of Head Mistress.

2. Learned Counsel for the petitioner further submits that the petitioner is not paid salary for the

period from 2006 to 2009 i.e. the period during which the petitioner had worked.

3. Mr.Gunale, learned Counsel for respondent nos.5 and 6, submits that the management of the Institution was changed in the year 2009 and the petitioner is not in service since 2006.

4. The petitioner may approach respondent no.2 – competent authority to ventilate his grievance for non payment of his salary for the period from 2006 to 2009. As the petitioner accepts that she is not in service since 2009, it is not necessary to go into the contention of the petitioner regarding her promotion. The petitioner may raise that issue, in case the petitioner is granted the relief of reinstatement.

5. The petitioner shall approach the competent authority to raise her grievance about her otherwise promotion/non payment of salary. The competent

authority shall take decision about the grievance of the petitioner in accordance with law and after hearing all the parties concerned, expeditiously.

6. The Writ Petition is accordingly disposed of. No costs.

[R.G. AVACHAT, J.]

[S.V. GANGAPURWALA, J.]

kbp