

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

WRIT PETITION NO. 10222 OF 2015

Mohd. Farooque S/o. Mohd. Hanif & Anr. ... Petitioners

VERSUS

The State of Maharashtra & Ors. ... Respondents

.....
Mr M. C. Syed, Advocate for the petitioners
Mr P. S. Patil, AGP for respondent/State

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

DATE : 06TH FEBRUARY, 2018.

ORDER:

1. Mr Syed, the learned counsel for the petitioner submits that after filing of the present writ petition the petitioners are absorbed in the school and are receiving regular salary. The grievance is now limited to the extent of the unpaid salary of the petitioners while officiating their duties in the de-recognized school and till the date of recognition.

2. Learned Advocate further submits that, the salary of the petitioner no.1 from 15.06.2010 till 15.06.2011 is unpaid and the salary of the petitioner no. 2 from January-2011 to 15.06.2011 is unpaid. The earlier school is derecognized on 15.06.2011.

3. We have heard learned AGP.
4. As the petitioners are now absorbed, the question of their regular salary does not remain and they are getting regular salary.
5. The Education Officer in its order dt. 12.12.2014 had observed that, once the petitioners are absorbed, the decision on their unpaid salary would also be taken. In light of the above, we pass the following order.

ORDER

- (i) The petitioners have made representation on 05.02.2014 (Page 50) for payment of unpaid salary, however, now they are already absorbed and the Education Officer in its order dt. 12.12.2014 had stated that, after absorption of the petitioners, fresh decision would be taken. The petitioners may file a fresh representation with the Education Officer for their unpaid salary for the period they had worked till the derecognition of their school.
- (ii) On receipt of the said representation, the Education officer shall take decision about the unpaid salary of the

petitioners for the period the petitioners had worked and the salary unpaid till the de-recognition of their original school, expeditiously, preferably within four months from the date of receipt of the representation.

(ii) The writ petition accordingly disposed of. No costs.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Punde