

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14521 OF 2017

Ahuradha Raosaheb Gajre

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri Ramesh I. Wakade, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl. G. P. for Respondent No. 1.

Respondent No. 2 served.

Shri S. S. Thombre, Advocate for Respondent Nos. 3 to 5.

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

DATE : 26th February, 2018

PER COURT :

1. Mr. Thombre, learned advocate for respondent Nos. 3 to 5 submits that the respondents have challenged the judgment of the school tribunal dated 3rd August, 2017 in Appeal No. 40 of 2015 by filing the writ petition and the same is pending before the learned Single Judge.

2. Be that as it may, the petitioner is claiming payment of subsistence allowance prior to the date of termination i.e. 1st July, 2014 to 17th September, 2014.

3. According to the learned advocate for the respondents, the petitioner was suspended after seeking permission from the Education Officer.

4. In that event, the respondent has to forward the proposal for payment of subsistence allowance to the petitioner to the Education Officer.

5. In case the subsistence allowance from 1st July, 2014 to 17th September, 2014 is not paid to the petitioner, then the respondent – institution shall forward the proposal for payment of subsistence allowance to the petitioner to the respondent - Education Officer within a period of two (2) weeks. As far as, directions to reinstate is concerned, the institution has already filed a writ petition against the order of the school tribunal. The parties naturally would be governed by the orders passed by the learned Single Judge in writ petition filed by the institution.

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

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]