

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2785 OF 2015

Vinod Namdeo Waghchure

... Petitioner

Vs

The Education Officer, Zilla Parishad Nashik and Ors. ... Respondents

Mr.Saurabh Pakale I/b Mr.A.R. Belge for the Petitioner.

Mr.S.B. Kalel, AGP for the Respondent-State.

**CORAM : S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

TUESDAY, 18TH DECEMBER, 2018

P.C. :

1 On this Writ Petition, we have passed a detailed order earlier.

2 In compliance with that order, Mr. Kalel, learned AGP tendered an affidavit of the Education Officer (Secondary) Zilla Parishad, Nashik.

3 In this affidavit, the Education Officer has said that in pursuance of our order, the Headmaster of respondent No.5-School, had submitted salary bill of the petitioner. It was checked and verified by the Superintendent, Pay and Provident Unit, District Nashik on 6th December, 2018. After that, the salary bill was processed onwards and after such processing, it has been cleared. The salary bill is passed and the following statements are made in paragraphs 3 and 4 of the affidavit.

3. I say and submit that on receipt of the salary bill of the petitioner for the period from 16/6/2009 to 30/11/2018 the superintendent of pay and P.F. Unit Office (sec.) took cognizance of the same and after scrutinizing the same passed the said salary bill as per his letter dated 11/12/2018 and net amount of salary for Rs.15,28,097/- (Salary bill for Rs.15,51,797-P.Tax Rs.23,770=Net amount Rs.15,28,097 have been credited to the account of Respondent No.5 i.e. the Head Master of the school, vide Cheque No.106391. Annexed and marked as **Exhibit-1** is the copy of letter dated 11/12/2018 issued by the office of superintendent (Secondary) pay and P.F. Unit Nashik.

4 I say and submit that the Respondent No.5 i.e. Headmaster of the Secondary school viz Shree Chhatrapati Shivaji Raje Bhosale Vidyalaya, Dhamani, Taluka : Igatpuri, District-Nashik, vide his letter dated 13/12/2018 has informed the Respondent Education Officer (Secondary) Nashik that the net amount of salary Rs.15,28,097/- for the period from June 2009 to November 2018 has been transferred to

*the account No.1867104000059787 of the petitioner on 13/12/2018.
As such it comes to notice that the Petitioner has received his salary.
Hereto annexed and marked as **Exhibit-2** is the copy of the letter dated
13/12/2018 issued by the Respondent Headmaster.”*

4 The petitioner’s advocate confirms these statements and says that the grievance of the petitioner to a substantial extent has been redressed. However, the petitioner is also entitled to Tribal Allowance. We do not comment upon that entitlement, but allow the petitioner to make an application so as to release that allowance in his favour. If such a request or application is made, then, the same shall be scrutinized by the Competent Authority in accordance with law and, in the event, the allowance is due and payable, the same shall also be released within a period of eight weeks from the date of request in that behalf is accepted. The Writ Petition is disposed of in these terms.

[SMT. BHARATI H. DANGRE, J.]

[S.C. DHARMADHIKARI, J.]