

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

**WRIT PETITION NO. 3970 OF 2018**

(SAU.SHRADDHA DHANANJAY BEGADE...VS..THE EDUCATION OFFICER, Z.P. & OTH.)

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri V.N.Patre, Advocate for Petitioner.  
Shri N.R.Patil, A.G.P. for Respondent No.1.  
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**CORAM : B.P.DHARMADHIKARI AND**  
**Z.A.HAQ, JJ.**

**DATED : JULY 09, 2018.**

1. Heard.
2. *Prima-facie*, we find that the departmental enquiry should have been completed within four months as per the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977. After four months, the petitioner was reinstated and again suspended retrospectively. The petitioner has made representation only to his employer. There is no representation to the respondent No.1-Education Officer.
3. The prayer in the petition is to direct the employer to pay arrears of salary from 02/02/2018 to 01/06/2018. However, during arguments, advocate Shri Patre disclosed that the subsistence allowance has been paid only for two months till 2<sup>nd</sup> April, 2018 and thereafter no allowance is paid to the petitioner.
4. In this situation, when the management has reserved right to proceed further under Rule 36 of the

Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 against the petitioner, we find that several questions arise. We, therefore, grant the petitioner permission to make representation to the respondent No.1. If such representation is made within one week from today, the respondent No.1 shall decide the same within further period of four weeks, after giving all concerned the opportunity.

With this direction and keeping all the contentions open, we **dispose of** the writ petition. No costs.

(Z.A.Haq, J)

(B.P.Dharmadhikari,J)

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