

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

WRIT PETITION NO. 1363 OF 2018

Pradeep Madhavrao Patil

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Umakant B. Deshmukh, Advocate for the Petitioner.

Shri S. M. Ganachari, A.G.P. for Respondent Nos. 1 to 3.

Shri V. D. Gunale, Advocate for Respondent Nos. 4 to 6.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVALA, JJ.**

DATE : 14TH JANUARY, 2019.

FINAL ORDER :

. It is submitted by the learned counsel for the petitioner that, the petitioner is suspended, but the subsistence allowance is not paid.

2. Mr. Gunale, the learned counsel for the management submits that, the management was on 100% grant in aid and proposal of the petitioner for grant of subsistence allowance is forwarded to the Education Officer. It is further submitted that, the petitioner is subsequently convicted and the appeal is pending.

3. The respondent/Education Officer shall take decision upon the proposal submitted by the management for grant of subsistence allowance to the petitioner for the period for which the petitioner is under suspension and is entitled to within a period of two (02) months from today. In case the proposal is not with the Education Officer, then the management may submit fresh proposal for grant of subsistence allowance to the petitioner. The Education Officer shall consider the legal position and take decision upon the proposal.

4. In the light of the above, the writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/Jan. 19