

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 4527 OF 2016

Jagdish Jeevanlal Pardeshi and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. V.B. Patil, Advocate for Petitioners
Mrs. G.L. Deshpande, Assistant Government Pleader
for Respondent Nos. 1 and 2
Mr. V.P. Sawant, Advocate for Respondent No.3
Mr. R.I. Wakade, Advocate for Respondent Nos. 4 and 6

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

DATE : 18th FEBRUARY, 2019

ORAL ORDER:

1. Mr. Patil, the learned Counsel for the petitioners submits that the respondent school, where the petitioners were working, are de-recognized on 13.05.2015. The petitioners were approved employees. They were not absorbed in any other school. The respondent school was again granted re-recognition in April, 2016. However, no salary is paid to the petitioners since May, 2015.

2. Mr. Wakade, the learned Counsel for the Institution submits that, the Institution is ready to submit the salary bills of the petitioners.

3. Mr. Sawant, the learned Counsel for respondent No. 3 District Social Welfare Officer submits that the petitioners are not entitled for the salary from the date of de-recognition till re-recognition. If the salary bills are submitted by the Institution, the Authority would process the same in accordance with law.

4. Once the school stood de-recognized, the petitioners certainly will not be entitled for salary till the date of their absorption.

5. However, it is submitted that, re-recognition has been granted to the respondent-Institution and the petitioners are working from the date of re-recognition. Certainly, the petitioners will be entitled for the salary from the date of re-recognition. However, the period from the date of de-recognition till the date of re-recognition shall be considered for the purpose of continuity of service.

6. In case, if the salary bills are not submitted, the respondent-Institution shall submit the salary bills of the petitioners (If their services are approved) within a period of four weeks from today. The salary bills shall be for the period from April, 2016 onwards. The respondent No. 3, on receipt of the salary bills, shall process in accordance with law and take a decision upon the salary bills within a period of one month from receipt of the salary bills of those petitioners, who were approved and working with the

respondent-Institution.

7. The Writ Petition is accordingly disposed of. No costs.

[A. M. DHAVAL]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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