

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7100 OF 2019

BHASKAR PARBATI SUPEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Narwade Narayan B.
AGP for Respondents No. 1 to 3 :
Mrs. G. L. Deshpande

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 17th JUNE, 2019

PER COURT:

1. Mr. Narwade, learned counsel for the petitioner submits that the Headmaster has forwarded the salary bills for the month of September-2016 to April-2019. The Education Officer is not processing the same and paying the amount to the petitioner.

2. Mr. Deshpande, learned Additional Government Pleader accepts notice for respondents no. 1 to 3, and submits that the Presiding Officer, School Tribunal, Solapur has directed the management to pay the full backwages as per the Judgment and

Order dated 13.02.2019 in Appeal No. 53 of 2016 filed by the petitioner.

3. Perusal of the Judgment and Order passed by the School Tribunal in an Appeal filed by the petitioner it is manifest that the School Tribunal has directed the respondents no. 1 and 2 therein i.e. the management to pay the full backwages from 06.09.2016 till the date of the order. It is not liability of the State to pay the backwages. In view of that, the Headmaster forwarding the salary bills for the month of September-2016 onwards is of no consequence.

4. The petitioner may claim the backwages from 06.09.2016 till the date of the order of the School Tribunal from the institution by filing execution before the School Tribunal.

5. The writ petition is disposed of accordingly.
No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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