

(1)

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

**CONTEMPT PETITION NO.758 OF 2018  
IN  
WRIT PETITION NO.10112 OF 2017**

Anjali Ashok Kute,  
Age: 25 years, Occu: Primary Teacher,  
Parli Vaijnath, Tq. Parli (V),  
Dist. Beed

..PETITIONER

VERSUS

1. The State of Maharashtra,  
Primary Education Department,  
Mantralaya, Mumbai
2. The Commissioner  
(Education Department),  
Maharashtra State, Pune,  
Senapati Bapat Marg, Balbharti Complex,  
Pune
3. Education Officer (Secondary),  
Zilla Parishad, Beed
4. Vaidyanath Education Trust,  
Parli Vaijnath, Tq. Parli, Dist. Beed,  
Through its Secretary
5. The Head Master,  
Vaidyanath Primary School,  
Parli Vaijnath, Parli,  
Dist. Beed
6. Shri. Bhagwan Shrimantrao Sonwane,  
Age: 52 years, Occu: Education Officer  
(Secondary), Zilla Parishad, Beed  
R/o. Beed

..RESPONDENTS

(2)

Mr S. V. Mundhe, Advocate for petitioner;  
Mr S. G. Sangle, A.G.P. for respondent Nos.1 to 3

WITH  
**CONTEMPT PETITION NO.853 OF 2018**  
IN  
**WRIT PETITION NO.2069 OF 2017**

1. The President,  
Shri. Jagmitranaga Shikshan Sanstha,  
Jalalpur, Parli Vajinath,  
Tq. Parli (V), Dist. Beed
2. Smt. Urmila Keshav Munde,  
Age:36 years, Occu: Shikshan Sevak,  
R/o. Shri. Jagmitranaga Vidhyalaya, Jalapur,  
Parli Vajinath, Tq. Parli (V), Dist. Beed ..PETITIONERS

VERSUS

1. The State of Maharashtra,  
Secondary Education Department,  
Mantralaya, Mumbai
2. Shri. Bhagwan Sonwane,  
Age: 50 years, Occu: Education Officer  
(Secondary), Zilla Parishad, Beed
3. Shri. Jagmitranaga Vidhyalaya,  
Jalalpur, Parli Vajinath,  
Tq. Parli (V), Dist. Beed,  
Through its Head Master ..RESPONDENTS

WITH  
**CONTEMPT PETITION NO.854 OF 2018**  
IN  
**WRIT PETITION NO.2070 OF 2017**

1. The President,  
Shri. Jagmitranaga Shikshan Sanstha,  
Jalalpur, Parli Vajinath,  
Tq. Parli (V), Dist. Beed

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2. Dipak Shrimantrao Aghav,  
Age:34 years, Occu: Shikshan Sevak,  
R/o. Shri. Jagmitranaga Vidhyalaya, Jalapur,  
Parli Vaijnath, Tq. Parli (V), Dist. Beed ..PETITIONERS

VERSUS

1. The State of Maharashtra,  
Secondary Education Department,  
Mantralaya, Mumbai
2. Shri. Bhagwan S. Sonwane,  
Age: 50 years, Occu: Education Officer  
(Secondary), Zilla Parishad, Beed
3. Shri. Jagmitranaga Vidhyalaya,  
Jalapur, Parli Vaijanth,  
Tq. Parli (V), Dist. Beed,  
Through its Head Master ..RESPONDENTS

WITH

**CONTEMPT PETITION NO.855 OF 2018****IN****WRIT PETITION NO.2071 OF 2017**

1. The President,  
Shri. Jagmitranaga Shikshan Sanstha,  
Jalapur, Parli Vaijnath,  
Tq. Parli (V), Dist. Beed
2. Ashok Shivram Kale,  
Age:31 years, Occu: Shikshan Sevak,  
R/o. Shri. Jagmitranaga Vidhyalaya, Jalapur,  
Parli Vaijnath, Tq. Parli (V), Dist. Beed ..PETITIONERS

VERSUS

1. The State of Maharashtra,  
Secondary Education Department,  
Mantralaya, Mumbai
2. Shri. Bhagwan Sonwane,  
Age: 50 years, Occu: Education Officer  
(Secondary), Zilla Parishad, Beed

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3. Shri. Jagmitranaga Vidhyalaya,  
Jalalpur, Parli Vaijanth,  
Tq. Parli (V), Dist. Beed,  
Through its Head Master

..RESPONDENTS

Mr S. V. Mundhe, Advocate for petitioners;  
Mr S. G. Sangle, A.G.P. for respondent/State

**CORAM : PRASANNA B. VARALE  
AND  
AVINASH G. GHAROTE, JJ.**

**DATE : 19th September, 2019**

**ORAL ORDER:**

Heard learned Counsel appearing on behalf of the petitioners.

2. A common grievance is raised in these petitions i.e. of non-compliance of the orders dated 29th August, 2017 and 8th March, 2018, passed by this Court in respective petitions. A simple notice was issued by this Court to the respondents. In response, affidavit-in-reply is filed on behalf of respondent - Shri. Bhagwan Shridharrao Sonwane, Education Officer (Secondary), Zilla Parishad, Beed. It is stated in the affidavit-in-reply that as per the directions of this Court, the Deputy Director of Education, Aurangabad Region, Aurangabad has taken decision on the proposal, after giving an opportunity of hearing to all the concerned parties. A copy of the decision dated 3rd December, 2018 in respect of petitioner in Contempt Petition No.758

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of 2018 is placed on record at annexure R-2. The Deputy Director of Education, Aurangabad, by the said decision dated 3rd December, 2018 granted approval to the appointment of the petitioner in Contempt Petition No.758 of 2018. A communication dated 15th January, 2019, addressed to the Director of Education through the Education Officer (Secondary), Zilla Parishad, Beed refers to certain facts, namely, that initially the petitioners were appointed on the post of 'Shikshan Sevak' for a period of three years and subsequently they were regularized. Their respective proposals were submitted to the Education Officers for decision. The proposals were pending before the Education Officer. It is stated in the communication dated 15th January, 2019 that the permission be granted to include the names of these petitioners in the list of surplus teachers. Be that as it may.

3. Insofar as the other grievance of non-payment of salary for a considerable length of period is concerned, it can be taken care of by directing the Education Officer (Secondary), Zilla Parishad, Beed as well as to the Director of Education, Secondary and Higher Secondary, Maharashtra State to take appropriate steps, as expeditiously as possible for inclusion of the names of these petitioners in the list of surplus teachers and to release their salary after completing all necessary formalities, as early as possible and we direct accordingly.

4. We further direct that the exercise of completing the formalities and release of the amount be completed within a period not more than twelve weeks from the date of the order of this Court.

The contempt petitions stand disposed of.

Authenticated copy of this order be supplied to learned Asstt. Govt. Pleader.

**(AVINASH G. GHAROTE, J.)**

**(PRASANNA B. VARALE, J.)**

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