

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

WRIT PETITION NO. 5907 OF 2019

Momin Matin Ahmad Mobin Ahmad

.. Petitioner

Versus

The State of Maharashtra and Another

.. Respondents

Mr. P. B. Gapat, Advocate for Petitioner.

Mr. S. B. Yawalkar, AGP for Respondents-State.

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

DATED : 08th AUGUST, 2019.

PER COURT:-

1. Heard Mr. Gapat, the learned Counsel for the petitioner.
2. Learned AGP accepts notice for both respondents.
3. The learned Counsel submits that the petitioner is entitled for continuity of service and salary. The school where the petitioner was working is de-recognized in the year 1998, subsequently petitioner was absorbed in the year 2013. The petitioner is entitled for salary and continuity of service from 1998 to 2013.
4. As the school where the petitioner was working is de-recognized, the petitioner would not be entitled for salary from the date when the school was de-recognized and till the absorption. However, certainly the petitioner can claim his right before the authority for continuity. The petitioner has filed an

application for the said purpose.

5. The respondent No. 2 shall take decision upon the application filed by the petitioner on 07.06.2017 before him with regard to the continuity of service. The same shall be decided within a period of four (04) months from today.

6. Writ Petition is disposed of. No costs.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.