

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

WRIT PETITION NO. 11231 OF 2018

Hitendra Darbarsing Patil and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri Yogesh P. Bolkar, Advocate for Petitioners.
Shri S. G. Karlekar, A.G.P. for Respondent Nos. 1 to 5.

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

DATE : 04TH MARCH, 2019.

FINAL ORDER :

. Mr. Bolkar, the learned counsel for petitioners submits that, names of petitioners have been included in Higher Secondary Shalarth Pranali, as such prayer clauses “B” and “C” do not survive.

2. The learned counsel for petitioners submits that, the appointments of petitioners as Shikshan Sevaks are approved from 15.07.2013 and as Assistant Teachers from 14.07.2016, however, salary is directed to be paid by the Government from 14.08.2017.

3. Mr. Karlekar, the learned Assistant Government Pleader for respondents/State submits that, the Deputy Director of Education has considered all the aspects and has rightly passed the order.

4. The petitioners are on grant in aid posts and their appointments are approved on regular pay scale on and from 14.08.2017. It appears that, the petitioners stood terminated from service on 28.06.2016 and this Court allowed the writ petition filed by petitioners under order dated 27.07.2017. Thereafter the petitioners were reinstated. The directions were given to the effect that from 14.08.2017 the petitioners would be entitled for actual salary.

5. Though the petitioners would be entitled for continuity in service as has been granted in the approval order that the petitioners have been brought on regular pay scale from 14.08.2017. The petitioners certainly would not be entitled for actual salary for the interregnum period, though said period is counted for salary of the petitioners. The writ petition is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]