

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

59 WRIT PETITION NO.13476 OF 2018

**RANJANA RAMJEEVAN TELANG
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mr. Gunale V.d.
AGP for Respondent: Mr.S.G. Karlekar
Advocate for Respondent Nos. 4 and 5: Mr. Rodge Pratap G.

...

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

DATE : 06/08/2019

PER COURT :

1. The petitioner has already approached the School Tribunal against the oral termination and it is submitted that the appeal filed by the petitioner is pending.

2. In light of the fact that the appeal is already filed by the petitioner against the termination, the prayers made in prayer clauses cannot be considered.

3. As far as salary/arrears of salary are concerned, there appears to be disputed question of fact about the period, upto which the petitioner has worked. The petitioner may make an application to respondent No. 2 herein with regard to the arrears of the salary. The

respondent No.2 upon considering the case of the petitioner and also the respondent management, shall take decision about the salary received by the petitioner and or payable to the petitioner. The petitioner may file an application with the respondent No.2. The respondent Nos. 4 and 5 are entitled to file their say and documents. The respondent No. 2 shall after hearing, take decision with regard to the arrears of the salary as claimed. According to the respondents, the petitioner is not in service since 2014. Whereas, the petitioner claims that the petitioner was in service upto 2017. The said aspect also would be considered by the respondent No. 2. Writ petition is disposed of.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

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