

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

WRIT PETITION NO. 2029 OF 2018

Lata Ramrao Pawar & Anr.

Petitioner

Versus

The State of Maharashtra & Ors.

Respondents..

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Mr K. J. Ghute Patil, Advocate for the petitioner

Mr AGP for respondents No. 1 to 4

Mr P. R. Kadam, Advocate for respondent No. 5

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

DATE : 11TH JANUARY, 2019

ORAL ORDER:

1. The petitioners seek absorption.
2. The school where the petitioners were working stood de-recognized in the year 2013. Appeal filed by the Institution came to be dismissed in August-2018. Some of the employees of the said Institution approached this Court by filing Writ Petition No. 340 of 2015 seeking absorption. This Court allowed the same. The petitioners are the employees of the same institution. Naturally, the petitioners will have to be treated on par with them. According to the learned AGP, the petitioners did not approach the court in time and the representation is made to the authority in the year 2016.

3. The authorities ought to have considered that the petitioners are the similarly situated to the petitioners in Writ Petition No. 340 of 2015 and 348 of 2015 decided under the order dt.14.09.2016.

4. In light of the above, the petitioners would be treated on the same pedestal. The respondent - authorities shall place the petitioners in the list of surplus employees and as per its turn, accommodate the petitioners in the aided institution after satisfying itself that the petitioners were working in the aided post with the respondent/de-recognized institution. The petitioners would not be entitled for the salary from the date of their termination till the date of their absorption in services, however, their services would be considered as per law for the purpose of continuity.

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

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE