

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

200 WRIT PETITION NO.14014 OF 2018

SHANKAR SHIVBAS KALGE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr Krishna Rodge h/for
Mr Rodge Pratap G.

AGP for Respondents State: Mrs G. L. Deshpande

Advocate for Respondent No.3 : Mr P R Tandale

**CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.**

DATE : 24th September, 2019

ORDER:

1. The petitioners seek salary from April, 2017 onwards till date of their absorption. Learned counsel for the petitioners submits that the petitioners were Class-IV employees with de-recognized school. The order of de-recognition was passed on 5th August, 2017 with retrospective effect from 01.04.2017. In view of that the petitioners are entitled for salary. The petitioners are also entitled for directions to treat past services of the petitioners from their initial date of appointment on no-grant basis, continuity of services and all other services benefits. The learned counsel further submits that the Administrator was continued subsequent to closure of the school on 08.09.2017 and directed respondent Nos. 2 and 3 to see that school runs smoothly.

2. We have heard learned counsel for the respondents.
3. Continuation of Administrator under order dated 08.09.2017 would not be of any avail, as the petitioners' case is that they had worked up to 5th August, 2017. The school was closed from 01.04.2017 as per the order of de-recognition of the school, though the order is passed on 5th August, 2017.
4. Considering the above said aspects, request of the petitioners cannot acceded to. However, the petitioners would be entitled for continuity in service though the petitioners were not absorbed till April, 2019. For the period the school where the petitioners were working was closed and till the date of absorption, the petitioners will be entitled for continuity in services and the said period should be counted for all further legitimate purposes.
5. With this observations, writ petition is disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC