

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

WRIT PETITION NO.498 OF 2019

**NITIN BALIRAM DEORE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. V.S. Panpatte, Advocate for the petitioners
Mr. A.R. Kale, AGP for the respondent/State.

**CORAM : PRASANNA B. VARALE &
S.M.GAVHANE, JJ.**

DATED : 06.02.2019

P.C. :-

1. Heard learned counsel for the petitioners.
2. At the outset, learned counsel for the petitioners orally prays for amendment to the petition by adding 'the Deputy Director of Education, Nashik Division, Nashik' as party respondent No.1-A to the petition. Learned counsel submits that inadvertently, the Deputy Director is not added as party respondent. Though the communication forwarded to the office of the Deputy Director dated 09.02.2016 is placed on record. Oral prayer for amendment is allowed. The amendment be carried out forthwith.
3. A limited grievance is raised in the petition. The petitioners are the teachers appointed in respondent No.4-Late S.R. Patil Secondary and Higher Secondary Vidyalaya Walwadi (Wadi Bhokar) being run by respondent No.3-Public Education Society.

4. The appointment orders are also placed on record. It is further submitted by the learned counsel for the petitioners that the proposal for grant of approval is also allowed by communication dated 25.06.2015. As such, the petitioners are the approved teachers. Learned counsel then submitted that in spite of all the necessary pre-requisites for grant of salary to the petitioners, the salary was not paid for considerable long period.

5. By inviting our attention to communication placed on record submitted that on 09.02.2016 the Superintendent, Pay and P.F. Unit Education Officer, Zilla Parishad, Dhule forwarded the proposal to the Deputy Director of Education Nashik Division, Nashik. It is submitted by the learned counsel that as there was certain deficiencies pointed out by the authority, respondent No.4-Head Master resubmitted a fresh proposal and this fact is noted in communication dated 09.02.2016. Learned counsel then submitted that though the authority, namely, Superintendent Pay and P.F. Unit made a request to the Deputy Director of Education to take further steps, till date no steps are taken. The learned counsel then submits that this delay is causing a serious prejudice to the petitioners as they are deprived of their rightful claim of salary for a long period. Learned counsel for the petitioners prayed that directions be issued to the Deputy Director of Education, Nashik Division, Nashik to take steps within a stipulated period, in view of the letter communication dated 09.02.2016.

6. Learned counsel was justified in submitting the grievance of these petitioners on the backdrop of the fact referred to above.

7. The counsel was justified in submitting the grievance of the petitioners referred to above. As such, the petition is disposed of, with directions to respondent No.1-A as well as respondent No.2 to take necessary steps in view of letter dated 09.02.2016, as early as possible and not later than eight weeks from the date of order of this Court.

8. With these above directions, the writ petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]