

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5871 OF 2020

Dayanand s/o Krushna Gundeli ... Petitioner

VERSUS

The State of Maharashtra and others ... Respondents

Mr S V Gundre, Advocate for the petitioner
Mr. K. N. Lokhande, AGP for the respondents State.

CORAM : RAVINDRA V. GHUGE &
SHRIKANT D. KULKARNI, JJ.

DATE : 27th August, 2020

ORDER:

1. Mr.Gundre, the learned Advocate for the petitioner undertakes to deposit court fees of Rs.265/- on or before 10th September, 2020.

2. The petitioner has put forth prayer clauses (B) and (C) as under:

(B) By issue of writ of mandamus or Order of direction in the like nature, the Respondent No.2 Dy. Director of Education, Latur may kindly be directed to include a name of petitioner in online process (*Shalant Pranali*) and disburse his arrears and regular salary.

(C) Pending hearing and final disposal of the Writ Petition, the Respondent No.2, Dy. Director of Education Latur, may kindly be directed to include the name of Petitioner in online process within stipulated period and till then directed to disburse the salary and arrears through offline process to the Petitioner and to pay regular salary accordingly.

3. We have heard the learned Advocate for the petitioner and the

learned A.G.P. on behalf of respondent Nos. 1 and 2.

4. The learned Advocate for the petitioner submits that he is putting forth an innocuous prayer of considering his grievance as against non inclusion of his in the online process (*Shalant Pranali*). This is purely a technical issue and a non-adversarial litigation. Once the name of the petitioner is entered in the online process (*Shalant Pranali*), his arrears and regular salary would be disbursed in accordance with the procedure that is prescribed. Respondent Nos. 3 and 4 are the employers of the petitioner and they have no dispute as regards the payment of salary of the petitioner, but for the technical impediment that the name of the petitioner is not entered in the online process.

5. In view of the above, this petition is disposed off.

6. Respondent No.2 is directed to issue notice to the petitioner and respondent Nos. 3 and 4 and cause a hearing in the matter on or before 11th September, 2020. If the petitioner is eligible to be included in the online process (*Shalant Pranali*) and if he is entitled to the salary, both unpaid and regular, respondent No.2 would pass an appropriate order as expeditiously as possible and preferably on or before 25th September, 2020.

(SHRIKANT D. KULKARNI, J.)

(RAVINDRA V. GHUGE, J.)

JPC