

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

33 WRIT PETITION NO.11916 OF 2018

ZAREEN FATEMA MIRZA JAHANGIR BAIG
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. M. S. Chaudhari h/f
Mr. Chaudhari M. Mujeebuddin
AGP for Respondent Nos.1 to 5- State: Mr. S. J. Salgare
Advocate for Respondent No.6: Mr. Zareef Khan Pathan
Advocate for Respondent Nos. 8 & 10 : Mr. A. N. Sabnis h/f
Mr. D. P. Palodkar

...
**CORAM : Z.A. HAQ AND
S. M. GAVHANE, JJ.**

DATE : 02.03.2020

PER COURT :-

While directing issuance of notice to the respondents by the order dated 29th November 2018 this Court refused to entertain the other grievances of the petitioner except the grievance that she was not paid salary for the period she rendered service.

2. After hearing learned advocates for the respective parties, and examining the material on record, we find that the petitioner has not been able to substantiate her claim for salary to enable this Court to grant her relief under the extraordinary jurisdiction. In the petition, the petitioner has herself pleaded that her salary

was deposited in her bank account, however, cheques with her signatures were obtained by respondent No.8 and he used to withdraw salary from her account. It would not be possible to examine these disputed facts in the extraordinary jurisdiction. Hence, claim of the petitioner for directions to the respondents to pay her salary cannot be granted.

3. As far as other reliefs sought by the petitioner are concerned, this Court had refused to entertain the grievances regarding those reliefs while directing issuance of notice. Hence, we are not dealing with those issues raised by the petitioner.

4. Keeping open the other issues raised by the petitioner regarding mismanagement, before appropriate forum, we dispose the petition. In the circumstances, the parties to bear their own costs.

(S. M. Gavhane, J.)

(Z. A. Haq, J.)

vsm/-