

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

925 WRIT PETITION NO.1855 OF 2020

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

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Advocate for Petitioners : Mr. Panpatte V. S.
AGP for Respondent Nos.1 to 4-State : Mr. S. B. Pulkundwar.

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**CORAM : RAVINDRA V. GHUGE, AND
S. G. MEHARE, JJ.**

DATE : 22.07.2021

PER COURT :-

1. We have briefly heard the learned advocate for the petitioners and the learned AGP on behalf of respondent Nos.1 to 4.

2. Mr. Nikam, the learned advocate submits that he has entered an appearance on behalf of respondent No.6 in this matter, inadvertently. He is appearing for a different respondent No.6 in a petition filed by the learned advocate Mr. Panpatte, who is representing the present petitioners in this petition. He, therefore, prays for discharge. Apparently, since Mr. Nikam has mistakenly filed his Vakilpatra in this matter,

his appearance is discharged.

3. Respondent No.6, Head Master of the School, according to the Education Officer (Secondary), is not signing the pay bills of the petitioners and therefore, the Education Officer cannot direct the payment of their salary.

4. Despite service of Court notices, respondent No.6 - Head Master is not causing an appearance, either in person or through an advocate.

5. We have perused page No.66 of the petition paper book, which is a communication by respondent No.2, dated 23.12.2019 indicating that the Head Master is not co-operative and though the appointments of these petitioners have been approved, necessary papers have not been forwarded by the Head Master, thereby disabling respondent No.4 in ensuring that the salaries of these petitioners are paid.

6. Considering the above, this petition is allowed. We direct respondent No.6 - Head Master of Late S. R. Patil, Secondary and Higher Secondary School, Walwadi (Wadi Bhokar), Taluka and District Dhule to ensure that all the

documents necessary for clearance of the pending salaries of the petitioners and for ensuring uninterrupted payment of their salaries in future, in the absence of any other legal impediment, shall be supplied to respondent No.4, on or before the 05.08.2021. Failure on the part of respondent No.6 in complying with these directions would make him liable for strict action.

7. If this direction is complied by him, respondent Nos.3 and 4 shall ensure that the arrears of the salaries of the petitioners and their regular salary payments are made, as expeditiously as possible, and in any case on or before 21.08.2021.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

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vmk/-