

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.9013 OF 2021**

JAYSHREE GOVARDHAN RATHOD

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Balaji S. Shinde, Advocate for the Petitioner.
Mr. S. B. Pulkundwar, AGP for Respondents-State.
Mr. A. D. Aghav, Advocate for Respondent Nos.3 to 5.

...

**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 13th OCTOBER, 2021.

PER COURT:-

1. The petitioner seeks direction against respondent no.3 to pay unpaid salary from 15.05.2018 to 23.06.2019 and to give two increments.

2. We have heard learned counsel for the petitioner and learned counsel for the Zilla Parishad.

3. Various transfer orders are sought to be placed on record. The submission is made about the non-receipt of the posting order and show cause notice of August 2019.

4. We may not be in a position to enter into the said debate. It appears that, the petitioner had not joined at the place where the petitioner

was directed to join on 08.08.2018. The petitioner in between 10.08.2018 to 22.06.2019 does not appear to have been working at any place. There appears to be some confusion about the excess posts at a particular place and the petitioner being relieved from that place.

5. In light of the aforesaid, we direct that, service of the petitioner from 10.08.2018 to 22.06.2019 shall be considered for the purpose of continuity, but for the said period the petitioner would not be entitled for the salary.

6. In view of the fact that, both the parties to some extent were under confusion. The punishment may not be imposed upon the petitioner of stoppage of increments.

7. Writ Petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE