

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

WRIT PETITION NO. 1809 OF 2017

Khurshid Bano d/o Sadiqueali ... Petitioner
Versus
The State of Maharashtra and Ors. ... Respondents

Mr. A. A. Maniyar i/by Mr. M. G. Ansari for the Petitioner.
Mr. Himanshu Takke, AGP for the State-Respondent Nos. 1 to 4.
Mr. Najmul Haque Khan, representative of Respondent No. 5 is present.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 23rd NOVEMBER, 2021.

PC. :-

1. Mr. Maniyar, learned counsel for the petitioner tenders a copy of the order dated 25th April, 2011 passed by the Division Bench of this Court in Writ Petition No. 9 of 2011 and bunch of petitions and would submit that similar order may be passed by this Court, thereby directing the Director of Education to inquire into grievances of the petitioner and for issuance of appropriate directions to Management about non payment of prescribed pay scale.

2. Learned AGP has no objection if the petition is disposed of in the light of the directions issued by this Court in the order dated 25th April, 2021 passed by this Court . Statement is accepted.

3. We accordingly take cognizance of Section 4(3) of the Act of 1977 and direct the Director of Education to conduct inquiry into the complaint made by the Petitioner about non payment of prescribed pay scale made by respondent no. 5-Management after giving a opportunity to the petitioner and similarly placed employee as well as the Management after due inquiry, issue appropriate direction as may be necessary in the facts and situation of the case expeditiously and not later than 12 weeks from today.

4. The Director of Education shall be free to decide the grievance of the petitioner as complaint of petitioner.

5. The petitioner as well as Management shall remain present in the office of the Director of Education on 1st December 2021, at 11.00 a.m. and on this date the Director may issue further orders if necessary, keeping in mind that inquiry should be concluded at specified time.

6. The order that would be passed by the Director of Education, shall be communicated to the petitioner as well as to the Management within one week from the date of passing of such order.

7. If any of the parties are aggrieved by said order, such party would be at liberty to file appropriate proceedings.

8. If any order is passed in favour of the petitioner, the consequential benefits of such orders would be provided to the petitioner within 8 weeks from the date of passing of such order.

9. The Writ petition is disposed of in aforesaid terms.
10. Parties to act on an authenticated copy of the order.
11. All the contentions of the parties are kept open.

[ABHAY AHUJA, J.]

[R. D. DHANUKA, J.]