

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

903 WRIT PETITION NO.2496 OF 2022

**HIRABAI PRAKASH PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**AND
WRIT PETITION NO.2498 OF 2022**

**SUHAS HEMRAJ PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**AND
988 WRIT PETITION NO.1710 OF 2022**

**SATISH SHAMKANT PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**AND
WRIT PETITION NO.2494 OF 2022**

**SONALI RAVINDRA PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

**AND
WRIT PETITION NO.2495 OF 2022**

**GANESH SURESH PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

AND
WRIT PETITION NO.2497 OF 2022

SHAILESH RAVINDRA PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

AND
WRIT PETITION NO.2499 OF 2022

KIRAN MURALIDHAR PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHER

...

Advocate for the Petitioners : Pawar Rahul S.
AGP for Respondents 1 to 5 : Shri A.R. Kale
Advocate for Respondent 6 : Shri S.S. Chaudhari h/f Ms.Vaishali
S. Chaudhari

...

CORAM : RAVINDRA V. GHUGE
&
ARUN R. PEDNEKER, JJ.

DATE :- 14th September, 2022

Per Court :-

1. Leave to correct the description of respondent No.3.
Correction be carried out forthwith.
2. All these petitioners are identically situated. All of
them are working under the scheme of 'education for disabled
children' at the primary school level. All of them are without

salary for a long time and hence, have put forth prayer clause B as under :-

“B) By issuing appropriate writ, order or the direction in the like nature, the Respondent Nos.1 and 2 be directed to release/grant the salary to the post of the petitioner.”

3. We have considered the submissions of the learned advocates for the petitioners and the Zilla Parishad as well as the learned AGP on behalf of the State authorities.

4. We are informed that the communication dated 10.12.2021 was addressed by the Chief Executive Officer, Zilla Parishad, Nandurbar to the Under Secretary, Rural Development Department, Mantralaya, Mumbai, vide which, the Chief Executive Officer has requested the Under Secretary that though there are no orders of withholding the salaries of 41 special teachers, who have been been working under the Central Government funded scheme, namely, Integrated Education for Disabled Students at Primary Stage, the salaries have not been paid. He has, therefore, sought guidance from the Under Secretary as the special teachers were without salary for 51 months as on 10.12.2021. The copy of the said communication dated 10.12.2021 is placed before us, which is marked as “X” for

identification.

5. In view of the above, these Writ Petitions are disposed off with the following directions :-

(a) Respondent No.3/Under Secretary shall issue a communication extending guidance to the Chief Executive Officer, Zilla Parishad, Nandurbar, expeditiously and such communication should reach the Chief Executive Officer, on or before 30.09.2022.

(b) Respondent No.6/Chief Executive Officer shall intimate the petitioners of the decision conveyed by the Under Secretary.

(c) In the event, the petitioners' grievances are not redressed, they would be at liberty to challenge the said decision of the Government.

(d) Needless to state, if the Government approves the payment of unpaid salaries to these petitioners, such payments shall be made to these petitioners as well as to those similarly situated teachers, who have not approached this Court, in order to ensure that further litigation is curtailed.