

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

11 WRIT PETITION NO.7039 OF 2022

MANISHA LATE VIKAS THAKUR
VERSUS
THE STATE OF MAHARASHTRA SCHOOL EDUCATION AND SPORTS
DEPARTMENT AND OTHERS

...
Advocate for Petitioner : Mr. S. C. Yeramwar
AGP for Respondent Nos.1 and 2 : Mr. S. K. Tambe
...

**CORAM : RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE : 19th September, 2022

PER COURT :

1. On 12/09/2022, we had passed the following order :-

"1. The petitioner lost her husband on 04.05.2017 at the age of 45 years. The petitioner has been appointed as a 'Peon' on 07.07.2018 on compassionate ground. The learned AGP indicates from the order dated 01.09.2022 issued by the Education Officer (Secondary) granting approval to the appointment of the petitioner for a period of 3 years from 10.07.2018 to 09.07.2021 with a stipend of Rs.1,700/- per month which makes her daily wage @ Rs.57/- per day.

2. In the order dated 30.06.2022 delivered in Writ Petition No.1367/2022 (Smt.Kusum Ashok Waghmare Vs. The State of Maharashtra and others), this Court had directed the State

Government to grant at least minimum rates of wages.

3. It is obvious that the Education Officer Dr.Nitin Bacchav, who is himself a Ph.D qualified person in Education, has not followed the judgment delivered by this Court in **Yogita w/o Shivsing Nikam Vs. State of Maharashtra and others [2022(2) Mh.L.J. 370]** which was circulated by the State of Maharashtra to all the Education Officers. The present Education Officer joined in February 2022 and prior to his joining, the office of the same Education Officer (Secondary), Zilla Parishad, Jalgaon has suffered imposition of costs of Rs.25,000/-.

4. The learned AGP submits that the Education Officer will tender his explanation by way of an affidavit on the next date.

5. In view of the above, we are listing this petition on 19.09.2022 in the "Urgent Orders Category". We call upon the learned AGP to take instructions as to the steps initiated by the State Government pursuant to our above said judgment."

2. The leaned AGP has entered an affidavit in reply, as directed, under the signature of Mr. Nitin Popatrao Bachhav, Education Officer (Secondary) Zilla Parishad, Jalgaon, from page Nos.36 to 43. An unconditional apology has been tendered by Mr. Nitin Bachhav. The approval to the appointment of the petitioner is already granted. The petitioner is satisfied.

3. Insofar as the direction of this Court to increase the stipend from Rs.1700/- per month to at least the minimum rates of wages vide order dated 30/06/2022 in Writ Petition No.1367 of 2022, the learned AGP points out that the compliance has to be reported in the month of October and the State Government has already initiated steps.

4. A copy of the communication dated 14/07/2022 issued by the Desk Officer, Government of Maharashtra, Shri Dattatraya Shinde, addressed to the Education Officer (Secondary) Zilla Parishad, Jalgaon, is placed on record. It is marked as 'X-1' for identification. It is pointed out that necessary steps are being taken and the compliance will be reported as directed, in the next month.

5. In view of the above, this petition is disposed off. Insofar as compliance of the order dated 30/06/2022 in Writ Petition No.1367 of 2022, the Registry shall place the file before us as per the order passed by this Court on 30/06/2022.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)

gawade/-.