

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

964 WRIT PETITION NO.7300 OF 2022

**SHARAD BHIMRAO KAKURDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioner: Mr. Patil Sandesh R.
AGP for Respondent/State: Mr. P. S. Patil

...

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

DATE: 27th JULY, 2022

PER COURT:

1. The Petitioner has put-forth prayer clause 'B', as under-

"B. By way of appropriate writ or order or direction in the nature of writ of mandamus, the Respondent No.5 to 7 may kindly be directed to make payment of arrears of salary to the Petitioner as per applicable pay scale i.e. Rs.1,93,881/- with 18% interest per annum for the period from 16/08/2012 to 30/12/2013 and Rs.49,83,398/- with 18%

interest from 15/06/2014 to 31/01/2022 and to make legal deduction towards provident fund from the salary of Petitioner."

2. It is apparent that the Petitioner desires that his unpaid salaries should be recovered from a private education society. The said society would not fall within the meaning of State under Article 12 of the Constitution of India. The said education society operates the school on no grant basis.

3. In view of the above, we deem it appropriate to permit the Petitioner to approach Respondent No.2 Deputy Director of Education and seek redressal of his grievance.

4. Let a representation be filed by the Petitioner on or before 10.08.2022 addressed to Respondent No.2. We expect Respondent No.2 to issue notice to the educational institution and after considering the stand of all the parties on

the issue, pass appropriate orders by ensuring that the unpaid salaries of the Petitioner are paid by the education society. Let this exercise be concluded by 15.10.2022.

5. The Writ Petition stands disposed off.

[ARUN RAMNATH PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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