

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

931 WRIT PETITION NO.8711 OF 2021

ANJANABAI ROHIDAS DEORE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Shashikant Chalkikar h/for Mr. Sapkal
Sandip R.

AGP for Respondents State: Mr. S. B. Yawalkar

Advocate for Respondent No.3 : Mr. R.N. Jain

Advocate for Respondent No.4 and 5 : Mr. Sachin Deshmukh

**CORAM : SMT. VIBHA KANKANWADI &
Y. G. KHOBRAGADE, JJ.**

DATE : 10TH NOVEMBER, 2022

ORDER:

1. Heard all the Advocates representing the parties.
2. Para No.12 from the affidavit in reply filed by Devidas Gangaprasad Nandgaonkar, District Social Welfare Officer, Zilla Parishad, Nandurbar on behalf of respondent Nos. 1 to 3 has been pointed out, in which it is stated that letter dated 19.08.2017 is only in respect of candidates who are untrained teachers and it is not in respect of candidates like petitioner who had acquired necessary qualification as per the directions of the Court.
3. Here, in this case, the petitioner is a special teacher in Muk-Badhir Niwasi Vidyalala, Nandurbar. She had completed her D.Ed.(HI).

Her case was covered in the order passed by this Court in Writ petition No. 2608 of 1999 decided on 25.07.2000. She had also completed Bridge Course from 4th March, 1999 to 4th April, 1999 and she was issued registration certification from National Rehabilitation Council of India on 26.05.1999. She was appointed vide order dated 01.08.1997. However, according to her, respondent Nos. 4 and 5 had not allowed her to sign muster register from 22.11.1998. She has not received regular payment and therefore she gave notice on 19.04.1999. Thereafter, she had approached the School Tribunal, who allowed her appeal by order dated 20th May, 2003. Respondent No.4 had given permanent appointment to her by order dated 11.03.2003 and it has been approved by respondent No.3 by order dated 03.07.2002. It has been then contended that by letter dated 08.09.2017(Annexure E), respondent No.2 had asked all the authorities to ensure that all the untrained teachers should get training before 31st March, 2019. In fact, the petitioner was already trained. Thereafter there was various communications but taking into consideration the misinterpretation, it appears that salaries of the petitioner have been stopped by order dated 21.06.2021 by respondent no.4 and by letter dated 13.06.2021, respondent No.5. Hence, she has filed the present petition.

4. In view of the clarification that has been given on behalf of respondent Nos. 1 to 3 in para 12 of the affidavit-in-reply, learned

Advocate Mr. Deshmukh appearing for respondent nos. 4 and 5 makes statement that respondent Nos. 4 and 5 would prepare the pay bill within a period of four weeks and it would be submitted to the proper authority.

5. In view of the said statement and clarification that has been given, writ petition is allowed in terms of prayer clauses (B) and (C) of which the compliance be made by respondent Nos. 4 and 5 within a period of four weeks from today.

6. Parties to act on authenticated copy of the order.

(Y. G. KHOBRAGADE, J.)

(SMT. VIBHA KANKANWADI, J.)

JPChavan