

(1)

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

WRIT PETITION NO.10283 OF 2022

**SAMEENA BADIUJJMA PATEL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Mr A. N. Nagargoje, Advocate for petitioners;
Mr P. S. Patil, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
SANJAY A. DESHMUKH, JJ.**

DATE : 12th October, 2022

PER COURT:

1. The purpose for which Writ Petition No.5287/2021 was filed by these two petitioners, is once again repeated in the prayers put forth by them, in this petition.

2. Vide our order dated 31/03/2022, passed in Writ Petition No.5287/2021, we have specifically directed the Education Officer in paragraph Nos.8 and 9, as under :-

“8. In view of the above, Civil Application No.13678 of 2021 is disposed off.

We direct respondent no. 4 to forward the salary bills of the petitioners from February, 2021 onwards, on or before 11th April, 2022. We further direct the Education

(2)

Officer to clear the said bills and release salary of these petitioners through the salary grants which are available.

9. In so far as the grievance of the petitioners to the extent of the impugned order dated 29.01.2021 is concerned, the same would be dealt with when this petition would be heard finally.”

3. We are informed that the Education Officer has complied with our direction, cleared the bills and credited the salary amounts in the account of the school. However, the Education Officer, thereafter, has not responded to the grievance of the petitioners that their salaries are not being paid.

4. Nevertheless, the High Court cannot repeatedly pass the same order on the same cause of action. This petition is, therefore, disposed off. However we deem it appropriate to direct the Education Officer to ensure that the amounts cleared by the State for payment of salaries of these petitioners, which is credited in the salary accounts of the school, is released by the school, so as to be paid to the petitioners, within three weeks from today.

5. Since Writ Petition No.5287/2021 is pending, the petitioners would be at liberty to prefer a civil application in the said petition for any cause of action connected with the cause of action put

(3)

forth in that petition.

(SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)

sjk