

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

WRIT PETITION NO.7604 OF 2022

**AKSHAY VITTHAL THOMBE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

**AND
CIVIL APPLICATION NO.13632 OF 2022
IN
WRIT PETITION NO.7604 OF 2022**

**THE STATE OF MAHARASHTRA AND ANOTHER
VERSUS
AKSHAY VITTHAL THOMBE AND ANOTHER**

...
Advocate for the Petitioner : Shri Dighe Vithal H.
AGP for the Respondents/State : Shri P.K. Lakhotiya
...

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

DATE :- 30th September, 2022

Per Court :-

1. Since the Education Officer, despite opportunities, had neither issued an order on the proposal of the petitioner, nor had filed an affidavit in reply, that we had issued the bailable warrant in the sum of Rs.15,000/- in order to secure his presence.

2. The said Education Officer Shri Ashok Kadus is

present in the Court. He volunteers to donate Rs.5000/- (Rupees Five Thousand) to the Advocates' Association of High Court, Bench at Aurangabad. The learned AGP conveys his unconditional apology.

3. The learned AGP has placed before us an order dated 28.09.2022 passed by the said Education Officer two days ago, thereby, granting approval to the appointment of the petitioner on compassionate basis with the fixed stipend of Rs.1700/- per month for a period of three years. This means that the petitioner would earn Rs.54/- per day. The order dated 28.09.2022 is taken on record and marked as "X" for identification.

4. We have placed similar matters on 17.10.2022 to deal with the case of the stipend of Rs.1700/- being paid to such employees. In an era where fair wage and living wage are the norms, the employees like the petitioner would be made to starve if they are paid Rs.54/- per day.

5. Be that as it may, since this issue of granting approval to the appointment of the petitioner is taken care of by the order "X" dated 28.09.2022, this Writ Petition is disposed off.

6. The statement and the apology tendered by Shri Ashok Kadus is accepted.

7. The pending Civil Application filed by the Education Officer, in the above circumstances, is allowed and the bailable warrant is recalled.

kps (ARUN R. PEDNEKER, J.) (RAVINDRA V. GHUGE, J.)