

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

350 WRIT PETITION NO.11121 OF 2022

PADMAKAR BANDU PAGAR
VERSUS
THE STATE OF MAHARASHTRA THROUG ITS PRINCIPAL
SECRETARY AND OTHERS

.....
Advocate for Petitioners : Mr. Wakade Ramesh I.
AGP for Respondents: Mr. S.K. Tambe
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**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 16th NOVEMBER, 2022.**

PER COURT :-

1. The petitioner prays for issuance of a writ of mandamus to the private management to pay salary to the petitioner for the enquiry period since 2.3.2022 till the date of termination, viz. 23.9.2022. It is further prayed that the petitioner should be paid the withheld salary from June 2021 onwards to the extent of 80%. It is also prayed that the arrears of salary, deducting the amount already paid in between 22.6.2006 to October, 2020, should be released by the employer.

2. Considering that the reliefs are being sought against a private Education Trust, we are not inclined to entertain this petition under Article 226 of the Constitution of India, as the Education Trust is not the State under Article 12 of the Constitution. As such, this petition is disposed off.

3. Nevertheless, the petitioner can approach respondent No.3 and raise it's grievance as against the management.

4. Since respondent No.3 has jurisdiction over the private management, it can initiate appropriate steps by following the due procedure for redressing the grievance of the petitioner, expeditiously.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

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