

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Writ Petition No. 1754 of 2020

Shri Pradip Chandrakant Patil & anr. ... Petitioners
v/s.

The State of Maharashtra
through the Secretary, School
Education Department & ors. ... Respondents

Mr. Narendra V. Bandiwadekar i/b. Ms. A.N. Bandiwadekar for the
Petitioners.

Mrs. S.S.Bhende, AGP for the State.

**CORAM : SUNIL B.SHUKRE &
G.A. SANAP, JJ.**

07th March 2022

P.C.

Heard.

2. Rule. Rule made returnable forthwith. Heard finally by consent of the parties.

3. Considering the fact that the appointment of the Petitioner has already been approved for the period of 3 years, as per the communication dated 29th October 2013, and also the fact that even

for this period of service rendered by the Petitioner as Laboratory Assistant, no honorarium has been paid to him, direction to pay and release the honorarium to the Petitioner for this period would have to be issued by this Court.

4. As regards the pendency of the proposal dated 31st December 2016, seeking approval of the Education Officer for confirmation of the Petitioner after satisfactory completion of 3 years service as Laboratory Assistant, we are of the view that further directions would have to be issued to the Education Officer to decide the same in a time bound manner.

(i) The Petition is, therefore, partly allowed.

(ii) Respondents are directed to pay and release the honorarium to the Petitioner for the service rendered by him for a period of 3 years with effect from 9th October 2013 as Laboratory Assistant and for this purpose, name of the Petitioner shall be entered into Shalarth system and the Petitioner shall be allotted Shalarth ID. We direct that payment of honorarium to the Petitioner for the period of 3 years from 9th October 2013 shall be made within a period of two weeks from the date of receipt of the order.

(iii) Respondent No.2 is directed to decide the proposal dated 31st December 2016 seeking approval of the Respondent No.2 for confirmation of the Petitioner in a service as Laboratory Assistant and payment of salary to him by applying regular pay scale, in accordance with law, within a period of four weeks from the date of receipt of order.

(iv) If the approval is granted, it is further directed that the salary as per the regular pay scale shall be released to the Petitioner forthwith.

5. Rule is made absolute in the above terms. No costs.

(G.A.SANAP, J)

(SUNIL B.SHUKRE, J)