

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

WRIT PETITION NO.4182 OF 2022

Yateemkhana and Madrasa Anjuman

Khairul Islam Trust & Anr.

..... Petitioners

Vs.

The State of Maharashtra and Anr.

..... Respondents

Mr. Dilipkumar B. Bodake for the Petitioner.

Mr. N. C. Walimbe, AGP for Respondent-State.

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

DATED : 11 APRIL 2022.

P. C.

Heard learned counsel and learned AGP for respondent Nos.1 to who appears by waiving notice.

2. Rule. Rule is made returnable forthwith by consent of the parties.

3. This petition involves an issue whether or not at the time of consideration of the proposal received by Deputy Director of Education from the Education Officer regarding inclusion of the name of Shikshan sevak in the Shalarth system, the Deputy Director of Education has power to cancel the approval granted to such Shikshan Sevak or Assistant teacher and this issue has been answered in negative by this court in the judgment rendered in the case of *Amol Baban Sangar vs. The State of Maharashtra, Writ*

Petition No.8966/2021 decided on 21/2/2022.

4. This being the position we do not think that any further reply from the State would be required. Accordingly, we allow the petition and direct respondent No.2 to include the name of the petitioner in Shalarth system and allot her Shalarth ID within a period of 12 weeks from the date of receipt of a copy of the order.

5. We further direct Respondent Nos. 2 and 3 to release honorarium/salary together with admissible arrears of honorarium/salary to the petitioner within a period of 4 weeks from the date of receipt of proposal in that regard from the petitioner No.3 which shall be sent by the management petitioner No.2 within 4 weeks from the date of allotment of Shalarth ID.

6. Rule is made absolute in the aforesaid terms. No costs.

(G. A. SANAP, J.)

(S. B. SHUKRE, J.)