

Shailaja

This order is corrected vide speaking to minutes of the order dated 8th April, 2022

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.3468 OF 2021**

Appasaheb Mahadev Gaikwad and others.	]	Petitioners
Vs.		
The State of Maharashtra Through its	]	
Secretary, School Education Department,	]	
Mumbai – 400 032 and others.	]	Respondents

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Mr. Rajaram B. Deshmukh, for Petitioners.

Ms. S.S. Bhende,,A.G.P for Respondents No.1 to 4 – State.

Mr. Rohit P. Sakhadeo, for Respondent No.6.

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

DATE : 10th MARCH, 2022.

P.C.

1. Heard Mr. Deshmukh, learned Counsel for the petitioners, Ms. Bhende, learned A.G.P, for respondents No.1 to 4 – State and Mr. Sakhadeo, learned Counsel for respondent No.6. Nobody appears for respondents No.5, 8 and 9.

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

3. In this petition, grievance is now confined only to petitioner No.8 and it is about non payment of salary to her. The petitioner is an Assistant Teacher with respondent No.9 – School. Her

appointment had received approval from the Administrative Officer of Pimpri Chinchwad Mahanagar Palika as per the order dated 3rd March, 2019 (Page 18) and accordingly Shalarth I.D has also been allotted to her as per the order of the Deputy Director Education, Pune on 24th July, 2018.

4. With these facts already established on record, there appears to be no reason for respondents No.8 and 9 not to pay salary to petitioner No.8. To worsen the situation, respondents No.8 and 9 have preferred to remain absent before this Court consistently. There are observations made earlier by this Court which show that these respondents have been served privately by the petitioners. In such a scenario, this Court would not have any option but to issue necessary directions to respondents No.8 and 9 so that grievance of petitioner No.8 is resolved.

5. Accordingly, we direct respondents No.5 to release salary of petitioner No.8 together with admissible arrears by taking necessary steps within a period of two weeks from the date of receipt of authenticated copy of the order.

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

7. Authenticated copy of the order be furnished to the learned Counsel for the petitioners.

[G.A. SANAP, J.]

[SUNIL B. SHUKRE, J.]