

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT NAGPUR, NAGPUR.

...  
**MISCELLANEOUS CIVIL APPLICATION NO.693/2022**  
**IN**  
**WRIT PETITION NO. 1768/2020**

Rohan s/o Narendra Sukhadeve ..Petitioner  
**versus**  
1) The State of Maharashtra and others ..Respondents  
.....  
Mr. A.C. Jaltare, Advocate for the Petitioner  
Mr. N.R.Patil, A.G.P. for Respondent Nos.1 to 4  
Mrs.S.W.Deshpande, Advocate for Respondent No.5 -Management  
.....

**CORAM:** SUNIL B. SHUKRE &  
ANIL L.PANSARE, JJ.  
**DATED** : 17<sup>th</sup> November, 2022.

**P.C. :**

Heard.

2. We do not think that the view expressed in the order dated 7<sup>th</sup> March 2022 which is the subject-matter of review, is in ignorance of any material fact or applicable law and, therefore, this Application seeking its review cannot be allowed by this Court.

3. However, we direct that the Respondent-Management shall pay the arrears of salary in terms of the orders passed by this Court on 20<sup>th</sup> August 2021 and 13<sup>th</sup> October 2021 and the responsibility for paying the arrears of salary in terms of the said orders shall now be of the Respondent-Management. In case the issue about release of salary grant to the Respondent-Management

is settled in favour of the Management, appropriate orders regarding re-imburement of the payment so made to the Management can be passed by this Court. But, till that happens the Respondent-Management cannot avoid its responsibility of paying the arrears of salary to its teachers. This is all the more so because the Respondent-Management has been found to be not diligent in pursuing its petition being Writ Petition No. 1113/2022. It is quite strange to argue by the Respondent-Management that the Respondent-Management running a School for students having cerebral palsy and the like, requires to spend more amount in running the School and, therefore, there is an urgent need for the State Government to release the salary grants to the petitioner when the Respondent-Management does not take any steps to seek early circulation of the petition filed in this behalf.

4. The Review Application is accordingly dismissed, subject to the above-referred directions, which shall be complied with by the Respondent-Management before its petition is taken up for hearing on admission, or final hearing.

[ANIL L. PANSARE, J.]

sahare

[SUNIL B. SHUKRE, J.]