

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.1840 OF 2023

ASHOK UDHAV KOTHAWALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

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Advocate for the Petitioner : Shri Dhengle Babasaheb A.
AGP for Respondents 1 to 3/State : Shri S.G. Karlekar

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CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.

DATE :- 20th February, 2023

Per Court :-

1. The petitioner has put forth prayer clauses B and C
as under:-

- “B) *By issuing appropriate writs/Order or directions the Education Officer(Secondary) Z.P. Osmanabad may kindly be directed to release the back wages to payment of 40% the petitioner as per the direction issued in writ petition No. 10565/2015, by the Hon'ble Single bench of High Court by judgment and order dated, 1/4/202.*
- C) *Pending hearing and final disposal of this writ petition, by issuing writ or appropriate order in the nature of directions the respondent No. 2 & 3 may kindly be directed to pay / release the 40 % back wages of the petitioner forthwith, as directed in the order passed in the W.P. NO. 1065/2015.”*

2. This Court cannot initiate the execution proceedings to ensure that the judgment and directions of the learned Single Judge, are implemented. The petitioner has a remedy of a different nature.

3. As such, **this petition is disposed off.**

4. Needless to state, the petitioner can avail of the remedy as is statutorily permissible.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)