

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**WRIT PETITION NO.2819 OF 2023**

**JALGAON SHAHAR MAHANAGAR PALIKA SEVA  
NIVRUTTA PRATHAMIK SHIKSHAK SANGH THROUGH  
ITS PRESIDENT**

**VERSUS**

**THE STATE OF MAHARASHTRA THROUGH THE  
PRINCIPAL SECRETARY AND OTHERS**

...

Advocate for the Petitioner : Shri Shelke Shivaji T.

AGP for Respondents 1 to 4/State : Shri P.S. Patil

Advocate for Respondents 5 and 6 : Shri S.R. Patil

...

**CORAM : RAVINDRA V. GHUGE**

**&**

**SANJAY A. DESHMUKH, JJ.**

**DATE :- 13<sup>th</sup> March, 2023**

**Per Court :-**

1. The Petitioner Union has put forth prayer clauses A

and B as under:-

“A) *Direct the respondents to make payment to the retired teachers of the corporation of pension arrears and 7th Pay Commission difference amount from the balance grants lying with the School Board as per the details given in the letter of Administrative Officer of School Board dt. 09.09.2022 at Exh. B and as per representation of the petitioner dt. 17.10.2022 at Exh. C within a month and for that purpose issue necessary writ or order.*

*B) During the pendency of the writ petition, direct the respondents to make payment to the retired teachers of the corporation of pension arrears and 7th Pay Commission difference amount from the balance grants lying with the School Board as per the details given in the letter of Administrative Officer of School Board dt. 09.09.2022 at Exh. B and as per representation of the petitioner dt.17.10.2022 at Exh. C within a month.”*

2. Considering the conspectus of the matter, we requested the learned Advocate Shri S.R.Patil to assist the Court.

3. With the assistance of the learned Advocates on behalf of the Petitioner, Respondent Nos.5 and 6 and the learned AGP, we have perused the petition paper book and considered the record available.

4. The quantification of arrears as claimed by the Petitioner Union, is the disputed issue. Nevertheless, since the Petitioner Union has addressed Respondent No.3 with representations, it would be appropriate for the said authority to consider the same.

5. In view of the above, **this Writ Petition is disposed off** with the following directions:-

(a) The Petitioner Union will have to tender a specific list of its members and exact computation/claim of their unpaid

allowances, pension and retiral benefits as per the pay commission's recommendations that are applicable. Let such specific details be tendered to Respondent No.3 within four week from today.

(b) So also, Respondent No.6 would tender a data with regard to the members of the Petitioner Union and such unpaid amounts, to Respondent No.3, within one month.

(c) Respondent No.3 would consider the entire data and carryout a strict verification exercise. Only after crystallizing the entitlement of the members of the Petitioner Union, for unpaid amounts and after specifically quantifying such unpaid amounts, Respondent No.3 may issue appropriate directions.

(d) Let such exercise of verification/identification and quantification, be carried out within 60 days from the date of receiving details from the Petitioner Union as well as Respondent No.6.

(e) If any amounts are payable, same shall be paid within a period of further 60 days along with admissible interest as prescribed in law.

(f) We make it clear that no amounts would be paid in cash by any authority and the admissible amounts be deposited in the

saving bank accounts of those eligible retired employees.

(g) In the event of any retired teacher having passed away, the legal heirs, upon identification, would be beneficiaries of such payments.

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