

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

**WRIT PETITION NO.7876 OF 2023**

Jay Shri-Krishna Bahu Uddeshiya  
Shikshan Sanstha through its Secretary  
Vyankat s/o Manohar Gite

... **PETITIONER**

**VERSUS**

1. The State of Maharashtra  
through Principle Secretary,  
School Education and Sports  
Department, Mantralaya- 32.
2. The Director of Education (Primary)  
Pune, Maharashtra State, Pune.
3. The Assistant Commissioner,  
Backward Class Inspection  
Divisional Commissioners Office,  
Aurangabad.
4. The Deputy Director (Primary)  
of Education, Region Latur,  
Gandhi Chowk, Latur.
5. The Education Officer (Primary),  
Latur, Z.P. Latur, near ShivajiChowk,  
Latur.

... **RESPONDENTS**

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Advocate for petitioner : Mr. Sontakke Sandeep B

AGP for Respondents/State : Mr. S.G. Sangale

Advocate for respondent No.5 : Mr. V.C. Patil h/f. Mr. U. B. Bondar

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**CORAM** : **MANGESH S. PATIL &  
SHAILESH P. BRAHME, JJ.**

**DATE** : **20.10.2023**

**PER COURT :**

Heard the learned advocate for the petitioner – Management as also  
learned advocate Mr. Bondar who appears for the respondent No.5 who is  
Education Officer (Primary), Zilla Parishad, Latur.

2. The petitioner is aggrieved by the communication dated 20.06.2023, whereby, the respondent No.5 directed it to process the salary bills of one Mr.S.S. Waghmare and to submit the bills within 10 days.

3. It is being pointed out that a similar direction was issued by the then Education Officer (Primary) on 01.12.2021. The Management had challenged that direction before the Director of Education (Primary). By communication dated 11.02.2022 addressed to the Divisional Deputy Director of Education the former had expressly directed that the claim of Mr. Waghmare in respect of the salary for the period November 2020 to February 2022 shall be examined independently on all accounts. Apparently, in spite of such direction no further steps were taken. Again some inquiry seems to have taken place and a similar direction was issued by the Director of Education (Primary) on 19.04.2023.

4. If such is the state of affairs, when the entitlement of Mr. Waghmare to receive the salary is still under consideration and has not been decided finally, the impugned communication directing the petitioner to process *inter alia* even the salary bills of Mr. Waghmare is clearly not sustainable.

5. The writ petition is allowed. The impugned communication is quashed and set aside to the extent of direction to process the salary of Mr. Waghmare.

( SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)