

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

**CIVIL APPLICATION NO.15664 OF 2022
IN WP/7901/2022**

**NARENDRA HARIBHAU RATHOD
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

**AND
CIVIL APPLICATION NO.15665 OF 2022
IN
WRIT PETITION NO.7866 OF 2022**

**JYOTI PANDIT SHIRTURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for the Applicants : Shri Pramod Gaikwad i/by Shri
Talhar Ajay G.

AGP for the Respondents/State : Shri S.G. Karlekar
Advocate for Respondents 5 and 6 : Ms.Nayana Patil i/by
Ms.Surekha Mahajan

Advocate for Respondents 7 and 8 : Shri Maheshkumar
Sonawane

Advocate for Respondents 2 and 3 : Shri A.M. Reddy i/by Shri
B.S. Deshmukh

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

DATE :- 06th April, 2023

Per Court :-

1. Undisputedly, the Applicants are the terminated

employees. Prayer is that they should be granted regular monthly salary w.e.f. August, 2022.

2. The Writ Petitions preferred by the Applicants/ Petitioners challenging the termination of their services, are pending adjudication. The matters are yet to be admitted.

3. As such, when employees are terminated from employment, unless the termination is quashed and set aside, there cannot be an interim order of directing the payment of monthly salary. **Both these Civil Applications are misconceived and are, therefore, rejected.**

4. List the Writ Petitions for passing orders on maintainability on 13.04.2023, in the light of the judgments in *Suryakant Panchal vs. Vasantrao Naik Vimukta Jati and others, 2002 (3) Mh.L.J. 699* and *Latika Mane vs. State of Maharashtra, 2013 (4) Mh.L.J. 244*.

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