

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

909 WRIT PETITION NO.50 OF 2023

PALLAVI SUDHIR PHULARI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS PRINCIPAL
SECRETARY AND OTHERS

Mr.T.M.Venjane, Advocate for the petitioners.
Mr.V.M.Kagne, AGP for the respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.)

DATE : JANUARY 12, 2023

PER COURT :

1. All the petitioners' claim to have joined employment as "*Shikshan Sevak*" with the respondent No.6/ School on 01.09.2010. They have been granted permanent approvals on 08/07/2016. However, they have not been paid their regular salary as per the regular scales till today. Their names have not be entered in the Shalarth ID. There is a dispute amongst the trustees of the Management. They have heard that now there has been a compromise between the trustees.

2. The learned Advocate further submits that as the Management did not forward their proposal for including their names in the *Shalarth ID*, they have themselves moved an application to the Education Officer on 20.10.2022.

3. The learned AGP submits on instructions from respondent No.4 Education Officer (Secondary) that there is a dispute amongst the trustees of the Management. Consequentially, neither the Management has tendered the proposals of the petitioners nor are their names included in the *Shalarth ID*. The Education Department can look into this aspect and after verifying the records and after considering the contentions of all stake holders, appropriate orders can be passed within reasonable time.

4. We have come across hundreds of cases wherein a dispute amongst the trustees of the Management has led to the delaying of the process of granting approvals to the appointment of teaching and non teaching staff. The Education Officer, at times, finds himself helpless in such a situation. These petitioners have themselves moved their common application on 20.10.2022 to the Education Officer seeking his

intervention.

5. As such, considering the order that we are passing, we are not required to issue notice in this matter. This petition is disposed off with directions to the Education Officer (Secondary), who is before us, as under :-

[a] In connection with the representation of the petitioners dated 20.10.2022, he shall issue notices to the representatives of the Management whose names are mentioned in Schedule I.

[b] He would also issue notice to the Head Master of the School and invite the Management to tender it's written say to the representation of the petitioner.

[c] After considering the contentions of all the stake holders and upon perusing the record, he would take a decision as regards whether the names of the petitioners deserve to be entered in the *Shalarth ID* in the light of their claim that their services have been granted permanent approval, by the Education Officer.

[d] He would conclude such exercise on or before 15.03.2023.

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