

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

**WRIT PETITION 3018 OF 2023**

- (1) Mr. Rajesh S/o Deoraoji Kandalkar,  
age—about 55 years, Occupation :  
Service, Res of : Kandalkar Plot,  
Opp. Govt. Polytechnic, Gadge  
Nagar, Amaravati- 444603.
- (2) Ku. Suchita D/o Shrawanrao Khole,  
age about 48 years, Occupation :  
Service, Res. of : C/O V. N. Thakre,  
17, Laxmi Vihar, Ganesh Colony,  
Near Ravinagar Sq., Amaravati.
- (3) Ku. Vaishali D/o Vitthal Pandit,  
age about 43 years, Occupation :  
Service, Res of : C/o Prashant  
Ramkrishna Pawar, Inside  
Ambagate, Patwipura Road,  
Besides Tukaram Akhada,  
Amaravati.
- (4) Ku. Shweta D/o Rameshrao  
Deshmukh, age about 41 years,  
Occupation : Service, Res. of :  
35, ITI Coloy, Kantanagar,  
Camp, Amaravati.

**.....Petitioners**

**...Versus...**

- (1) The State Govt. through its  
Principal Secretary,  
Education Department,  
Maharashtra State,  
108, First Floor, Mantralaya  
Extension, Mantralaya, Mumbai
- (2) The State Govt. through its  
Principal Secretary,  
Social Welfare Dept. 316,

3<sup>rd</sup> Floor, Mantralaya Extension,  
Mantralay, Mumbai-400032

- (3) The Project Director-Cum  
Coordinator, Maharashtra/  
Rashtriya Madhyamik Shiksha  
Abhiyan, Jawahar Bal Bhavan,  
1<sup>st</sup> Floor, Netaji Subhash Marg,  
Charni Rd (West), Mumbai 400004
- (4) Director, Primary Education  
(Integrated Disabled Education  
Scheme Section) Maharashtra State,  
Directorate of Education,  
Dr. Annie Besant Marg,  
Pune-411001.
- (5) Dy. Director, Nagpur Division,  
Education Dept.,  
Government of Maharashtra,  
Civil Lines, Nagpur
- (6) Education Officer (Secondary Education),  
Zilla Parishad, Civil Lines, Nagpur.
- (7) President, Nootan Vidarbha  
Shikshan Mandal, Jog Chowk,  
Amaravati.
- (8) Head Mistress,  
New High School, Belpura,  
Amravati.
- (9) Rashtriya Madhyamik Shikshan  
Abhiyan, Ministry of Human  
Resource Development  
Department of School,  
Education and Literacy,  
Shastri Bhawan, New Delhi-110001
- (10) Union of India, through  
its Principal Secretary, Ministry of  
Human Resource Development,  
Govt. of India, Shastri Bhawan,  
New Delhi.

.....Respondents

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**Mr. Ashwin Deshpande, Advocate for the petitioners.**

Mrs. K.R. Deshpande, AGP for respondents 1 to 6

Mrs. Mugdha Chandurkar, Advocate for respondent 10.  
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**CORAM : ROHIT B. DEO AND MRS. VRUSHALI V. JOSHI, JJ.**

**DATE : 04-05-2023**

**JUDGMENT : (PER ROHIT B. DEO, J.)**

Heard.

2. Rule. Rule made returnable forthwith. With consent, heard finally.

3. The grievance in the petition is that the salary of the petitioners is withheld from May 2022.

4. It is common ground, that during the pendency of the petition, the petitioners have been paid salary till April 2022.

5. The entitlement of the salary for the subsequent period is not in dispute.

6. As a fact, the learned Assistant Government Pleader Mrs. K. R. Deshpande states that certain amounts are already deposited in the Registry of the Court. The learned counsel for

petitioners would submit that the amount which is deposited in the Registry falls short of the salary receivable.

7. We have considered similar situation in Writ Petition 4274/2016 and disposed of the said petition by directing the State Government to release the arrears of salary, if there is no other impediment, within eight weeks.

8. The learned counsel for the petitioners Mr. Ashwin Deshpande and the learned Assistant Government Pleader Mrs. K. R. Deshpande both state that this petition can also be disposed of by issuing similar directions.

9. We therefore, permit the petitioners to withdraw the amount deposited by the respondents in the Registry of the Court.

10. Shortfall, if any, shall be paid by the respondents to the petitioners, if there is no other impediment, within the next eight weeks.

11. We further direct that the petitioners shall be paid regular salary from May, 2023 onwards.

12. The petition is disposed of in aforesaid terms.

(Mrs. Vrushali V. Joshi, J.)

(Rohit B. Deo, J.)

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