

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

WRIT PETITION NO.8339 OF 2019

Renuka d/o Tulshiram Jadhav,
aged about 55 years, occupation :
Service, r/o New Sonkhas,
Kalpana Nagar, near Sevalal Maharaj
Temple, Mangrulpir, District Washim.

... Petitioner

- Versus -

- 1) Assistant Commissioner, Social Welfare Samajik Nyay Bhavan, near residence of District Collector Bungalow, Nalanda Nagar, Washim, Taluq and District Washim.
- 2) Avinash Shikshan Prasarak Sanstha, near Parlikar Petrol Pump/Police Station, Mangrulpir, through its Secretary Shri Raju s/o Devisingh Rathod, r/o Village Chahel, Taluq Mangrulpir, District Washim.
- 3) Vasantrao Naik Madhyamik Ashram Shala, Chahel, Taluq Mangrulpir, District Washim, through its Head Master Shri Anil Anandrao More, r/o Village Chahel, Taluq Mangrulpir, District Washim.
- 4) Dagdusingh Naik Shikshan Prasarak Sanstha, Lohgaon, Post Mahagaon, Tahsil Karanja, District Washim, through its Secretary.
- 5) Pratapsingh Naik Prathamik Aashram Shala, Jogaldari, Tahsil Mangrulpir, District Washim,

through its Head Master.

... Respondents

Shri S.V. Sohoni, Advocate for petitioner.

Shri A.S. Fulzele, Additional Government Pleader for respondent no.1.

Shri A.S. Dhore, Advocate for respondent nos.2 and 3.

CORAM : A.S. CHANDURKAR AND
MRS.VRUSHALI V. JOSHI, JJ.

DATED : JANUARY 23, 2023

ORAL JUDGMENT (PER A.S. CHANDURKAR, J.) :

Rule. Rule is made returnable forthwith. Heard finally by consent of the learned Counsel appearing for the parties. Despite service, there is no appearance on behalf of respondent nos.4 and 5.

2) The petitioner claims entitlement to the post of Madatnis (Helper) at an Ashram School. Initially she came to be appointed at the respondent no.3 School that was run by the respondent no.2 Society. Her services were thereafter absorbed at the respondent no.5 School that is being run by the respondent no.4 Society. The order of absorption is dated 26/5/2022 and it is not in dispute that the petitioner has received salary for the period from March 2019 to May 2022. The only grievance that now survives is with regard to salary as per the recommendations of the 7th Pay Commission.

Shri Sohoni, learned Counsel for the petitioner, submits that the petitioner's pay bills in that regard are not being forwarded by the respondent nos.4 and 5. Shri Fulzele, learned Additional Government Pleader for respondent no.1, submits that if the pay bills are accordingly forwarded, the same would be considered and necessary orders thereon would be passed by the respondent no.1.

3) In view of these facts, since the service of the petitioner stands absorbed at the respondent no.5 School from 26/5/2022, it is directed that the respondent nos.4 and 5 shall forward the petitioner's pay bills in accordance with the recommendations of the 7th Pay Commission. The necessary steps in this regard be taken by the said respondents within a period of four weeks from receiving copy of this judgment. Thereafter the respondent no.1 shall consider the said pay bills in accordance with law and take appropriate steps within further period of four weeks of receiving the same. With these directions, the writ petition is disposed of. Rule accordingly. No costs.

JUDGE

JUDGE

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