



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

WRIT PETITION NO. 2572 OF 2024

MAHESH BABURAO MORE AND OTHERS

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...

Mr. Vinod B. Jadhav, Advocate for the Petitioners.

Mr. S. K. Shirse, AGP for Respondent Nos.1 to 3.

...

**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATED : 06th MARCH, 2024.

P.C.

1. Heard the learned Advocate appearing for the petitioners and the learned A.G.P. for respondent nos.1 to 3.

2. The present petition has been filed to direct respondent no.1 to sanction regular pay scale to the post held by petitioner nos.1 to 3.

3. Perusal of the documents would show that the appointment of petitioner nos.1 to 3 is from 2013-2014. The petitioner no.4 had approached this Court in Writ Petition No.3718/2016, which came to be decided on 06.08.2018 to challenge the decision of respondent no.1 for non granting salary and other grants to the Sharda Sadan Schedule Caste Secondary Ashram School. It is the school where petitioner nos.1 to 3 are serving. In view of the decision in the said matter, the Government was directed to take decision afresh. Thereupon, the Government Resolution dated 17.10.2018 was issued and the staff was sanctioned. However, as regards the Helper and Peon i.e. in all three posts, it was directed that it should be by outsourcing. Thereafter, it

appears that, representation was made by petitioner no.4 that no such order was passed in respect of other similarly situated schools in Maharashtra and, therefore, as regards the Helper and Peon are concerned, the decision be reconsidered. There is positive recommendation of respondent nos.2, 3 and 4 and it appears that, presently issue is pending before respondent no.1. In view of this position, we dispose of the writ petition by issuing directions to respondent no.1 to decide the said representation of the petitioner no.4 in pursuance to the recommendation made by other respondents within a period of four months from today on its own merits.

4. The learned A.G.P. to inform this order to the concerned Authorities.

5. Writ Petition is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE