



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

27 WRIT PETITION NO. 6405 OF 2024

Vinayak Pralhad Kulkarni

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Advocate for the Petitioner : Mr. Niranjan Vasant Dhake

AGP for Respondent/State : Mr. P.P. Dawalkar d

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CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE : 08.07.2024

PER COURT :

The learned advocate for the petitioner places on record a copy of the order passed in Writ Petition No. 11104/2019, dated 11.07.2023.

2. The petitioner, who has been serving as a headmaster, is aggrieved by the non payment of the salary because of the impugned communication dated 14.03.2024, whereby respondent no. 2-Education Officer (Secondary) has informed him that for non cooperation/reply pursuant to the earlier notices, which were issued in compliance with the order of this Court in the aforementioned writ petition, the salary has been stopped.

3. The learned advocate for the petitioner submits that the petitioner had already informed the Education Officer his inability to take any steps pursuant to the directions since the matter was within the competence of the management, still the salary has been stopped.

4. Though one cannot countenance the stand that in spite of the directions of the Court, either the management or the headmaster was at fault, the remedy would lie elsewhere, in a different form. Stoppage of

salary may not be the legal recourse to be resorted to.

5. Be that as it may, if something was to be done by the management and the headmaster, it is imperative that they take appropriate steps in compliance with the orders of this Court.

6. We, therefore, allow the writ petition only partly. Respondent no. 2- Education Officer (Secondary) shall clear the petitioner's dues and then take a fresh decision as expeditiously as possible and in any case within four weeks from today. All the issues are kept open.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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