



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

913 WRIT PETITION NO. 9551 OF 2023

SWAPNALI MOHAN PAJAI
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Mr. Panpatte V. S., Advocate for the Petitioner
Mr. P. K. Lakhotiya, AGP for Respondents State
Mr. R.C. Bramhankar, Advocate for Respondents 5 and 6

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 5th January, 2024

ORDER:

1. On 4th November, 2023, we had passed the following order:-

"1. According to the learned AGP, there are two posts for which the salary grants up to 20% have been extended. Two teachers are already receiving the salaries from the said partial grants. A third post is not grantable. The Petitioner, if is approved for a salary grant, would be a third person. He, therefore, desires to file an affidavit in reply.

2. Let such affidavit in reply be filed on or before 05.12.2023.

3. List this petition in the urgent admissions category on 13.12.2023."

2. Today, it is an undisputed position before us that the mistake committed by the Education Department has been rectified with the

issuance of corrigendum dated 19.10.2023, which was not pointed out to us when we passed the order on 4th November, 2023. Vide such corrigendum, the additional posts with partial grants are taken into account and the total available posts for partial grants would be 4 instead of 2. This takes care of the interest of the Petitioner.

3. A compilation of 9 pages tendered by the learned Advocate representing Respondent Nos. 5 and 6, is taken on record and collectively marked as 'X' for identification.

4. In view of the above, **this Petition is partly allowed** in the terms of prayer Clauses (B) and (C), which read as under:-

(B) By issuing of Writ of Mandamus or Order or direction in the like nature, the Respondent No.4 - Superintendent of Pay Unit (S) may please be directed to release Shalarth ID with further directions to grant her arrears and regular salary within a period of two weeks.

(C) By Writ of Mandamus or Order or any other appropriate writ or direction in the like nature, the Respondent Nos 3 and 4 may kindly be directed to release arrears of salary of the Petitioner from 01.01.2023 onwards till today @ 20% grant-in-aid basis."

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)