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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 WRIT PETITION NO. 15811 OF 2023

SUNIL RAYBHAN NANNAWARE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.V.S.Panpatte, Advocate for the Petitioners.
Mr.S.K.Tambe, AGP for the Respondent/State.

(CORAM : RAVINDRA V. GHUGE AND
Y.G.KHOBRADE, JJ.)

DATE : JANUARY 8, 2024

PER COURT :

1. All these Petitioners have been working since their appointments in 2011. Till August 2023, they were drawing the salary. None of them are involved in any unholy acts. There is no issue about their qualifications. Vide the impugned order dated 11.09.2023, the Head Master is called upon to tender an explanation on certain issues. Without waiting for the explanation to be received and without delivering any reasoned order, the salary of the Petitioners has been stopped.

2. In view of the above, **this Petition is disposed off** with the following directions :-

[a] Let the Head Master of the School tender the explanation to the Education Officer, if not already tendered, within 30 days from today.

[b] Let the Education Officer follow the proper procedure laid down in Law and pass a reasoned order after receiving the explanation.

[c] Untill the above directions are complied with, the salaries of these Petitioners, so also the similarly placed teaching and non teaching staff, shall not be stopped (if the said salaries have been paid through the salary grants of the Government).

[d] After the reasoned order is passed, if the Petitioners are aggrieved, they are at liberty to avail of a remedy as may be permissible in Law.

[e] If there is any issue of arrears of salaries and if there is no legal impediment, the Petitioners are at liberty to agitate the said issue before the Education Officer, who will consider the same strictly in accordance with Law.

(Y.G.KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)