

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 1289 OF 2024

Mahadeo Vikram Funde

... Petitioner

V/s.

State of Maharashtra and Ors.

... Respondents

Mr. S.N. Rajpurohit for the Petitioner

Ms. Pooja Joshi Deshpande, AGP for the Respondent - State

***CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.***

DATE : 01 MARCH 2024

P.C. :-

The Petitioner is seeking a direction to consider the Petitioner's appointment on 100% grant-in-aid and the grant should be accordingly disbursed without phased disbursement.

2. This relief which relates to the payment of grant-in-aid from the State that needs to be sought by the Respondent – Management. The Petitioner is stated to be working with the Respondent – Management and therefore, he is entitled to be paid as per the governing rules by the Management. If the Respondent – Management is not seeking grant for the post on which the

Petitioner is working, then it is their primary responsibility to pay the salary to the Petitioner as per the Rules.

3. Neither the Management is before us nor the Petitioner has sought any prayer against the Management for payment of the salary as per the Rules. We reiterate that if the Petitioner is working as of today, then it is the responsibility of the Respondent – Management to pay the salary to the Petitioner as per the Rules and if it is not so paid inspite of this position. Therefore, we dispose of the Petition leaving it open to the Petitioner to approach to the Grievance Redressal Committee of the State of Maharashtra set up under the Government Resolution dated 1 October 2019 which is empowered to look into the disputes between the employees and the management which do not fall within the ambit of Section 9 of the Maharashtra Employees of Private Schools (Conditions of Service) Act, 1977.

4. As to the right of the Management to claim grant-in-aid from the State is concerned, it is open to the Management to seek necessary redressal in that regard.

5. The Writ Petition is disposed of.

M.M. SATHAYE, J.

NITIN JAMDAR, J.