

Shabnoor

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

**INTERIM APPLICATION NO.16368 OF 2023
IN
WRIT PETITION NO.1203 OF 2022**

Birajdar Siddheshwar Ramchandra ... Applicant

In the matter between

The President, Shri Ramlingeshwar
Samaj Seva Mandal & Anr ... Petitioner

V/s.

Birajdar Siddheshwar Ramchandra
& Ors ... Respondents

Mr. Ashok B. Tajane, for Applicant & Respondent No.1
in WP/1203/2022.

Mr. S. Sakhare, for Petitioner.

Mr. Sanjay D. Rayrikar, AGP, for State/Respondent
Nos.2 & 3.

CORAM : AMIT BORKAR, J.

DATED : FEBRUARY 15, 2024

P.C.:

1. Because of the order of reinstatement is not challenged, the applicant is reinstated in services.
2. It is well settled that once the person reinstated in the services, he is entitled to get all the benefits as were permissible on the date of his termination. Therefore, the Management cannot refuse to pay the salary on the ground that it has not received

grant-in-aid. The primary liability to pay salary is on the Management irrespective of the fact that the grant-in-aid has been received from the Government, or not. Therefore, the Management shall clear the arrears as regards services rendered by the applicant after reinstatement.

3. Since, the applicant's services are reinstated as per the order of School Tribunal which had attained finality, the Education Officer shall include the applicant's name in the Shalarth Id within two weeks from the date of production of this order.

4. The interim application stands disposed of.

(AMIT BORKAR, J.)