

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

WRIT PETITION NO.3512 OF 2024

A.P. D. Jain Pathashala, Solapur & Ors. .. Petitioners
Versus
The State of Maharashtra & Ors. .. Respondents

Mr.S.C. Naidu i/by Mr.Sandeep R. Waghmare for the petitioners.
Mr.S.P. Shetye, AGP for the respondent nos.1 to 4-State.
Mr.Rui Rodrigues for respondent no.6.

***CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ.***

DATE : 12th March 2024

P.C.:-

. Issue notice, returnable on 2nd April 2024. The learned AGP waives service of notice for respondent nos.1 to 4-State. Mr.Rodrigues, learned counsel waives service of notice for respondent no.6.

2. It is submitted by the learned counsel for the petitioners that though the appointment of the Principal-petitioner no.4 who has been appointed at the petitioner no.3-College is not being approved on the ground that the appointment has been made in breach of the terms and conditions mentioned in the Government Resolution dated 10th May 2019, the salary bills of other teaching and non-teaching staff are also returned back on the ground that the same have been sent under the signature of the petitioner no.4.

3. While issue of validity of the appointment of the petitioner no.4 is required to be examined, we do not find any reason on the part of the respondent nos.1 to 4 to withhold the salaries of other teaching and non-teaching staff.

4. In that view of the matter, while granting time to respondent nos.1 to 4 to file their affidavit-in-reply, by an ad-interim order, it is directed that the salary bills of other members of teaching and non-teaching staff (excluding the petitioner no.4) shall be signed by the senior-most teacher on the roll of the petitioner no.3. The said salary bills shall be considered and the amount of salary shall be accordingly released. That the salary bills are signed by the senior-most teacher shall not be a ground to refuse the approval of the same.

5. It is clarified that this ad-interim arrangement is subject to further orders of this Court. Parties to act on the authenticated copy of this order.

JITENDRA JAIN, J.

A.S. CHANDURKAR, J.