

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

***CIVIL APPELLATE JURISDICTION***

**WRIT PETITION NO. 3512 OF 2024**

**Shri A.P.D.Jain Pathashala, Solapur & Ors. .... Petitioners**

**VERSUS**

**State of Maharashtra & Ors. .... Respondents**

Mr. S. C. Naidu a/w. Mr. Abhishek Ingle i/b. Mr. Sandeep R. Waghmare for the Petitioners.

Smt. D. S. Deshmukh, A.G.P for the State.

Mr. Milind Deshmukh for the Respondent No. 6.

**CORAM : A.S. CHANDURKAR &  
RAJESH S. PATIL, JJ**

**DATE : 18<sup>th</sup> DECEMBER, 2024**

**P.C. :-**

Heard learned counsel for the parties for some time.

2. One of the issues that raises for consideration is the entitlement of the petitioner no.4 to hold the post of Principal at the Senior College. By the order dated 12<sup>th</sup> March 2024, the salary bills of the teaching and non-teaching staff (excluding the

petitioner no.4) were permitted to be released. The members of the teaching and non-teaching staff (excluding the petitioner no.4) are accordingly receiving their salary.

3. By the order dated 22<sup>nd</sup> April 2024, liberty was granted to the petitioners to seek relief with regard to release of salary of the petitioner no.4.

4. The appointment of the petitioner no.4 on the post of Principal is under dispute. Prior to the promotion to the post of Principal, the petitioner no.4 was receiving salary on the post of Professor as his appointment on that post was duly approved. He has received salary in the Pay Matrix – Academic Level 14 for the post of Professor till June 2023. The petitioner no.4 has not received any salary thereafter.

5. Considering the fact that the respondent no.5 – University has granted its approval to the appointment of the petitioner no.4 from 12<sup>th</sup> January 2023, the interest of justice can be met by

permitting the petitioners to submit the salary bills of the petitioner no.4 for the post of Professor in the Pay Matrix – Academic Level 14. The entitlement of the petitioner no.4 to the salary for the post of Principal shall be decided when the writ petition is decided.

6. Accordingly the petitioners are permitted to forward the salary bills of the petitioner no.4 from June 2023 till date as admissible for the post of Professor. The said salary bills are permitted to be signed by the senior-most teacher on the Roll of the petitioner no.3. If the salary bills are submitted, the same shall be processed in accordance with law expeditiously.

7. Stand over to 24<sup>th</sup> January 2025 for further consideration.

[ RAJESH S. PATIL, J. ]

[ A.S. CHANDURKAR, J. ]