



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

**CIVIL APPLICATION NO.3604 OF 2025 IN
WRIT PETITION NO.7392 OF 2024**

Smt. Siddiqui Atika Begum
Hamidoddin Siddiqui

... APPLICANT

VERSUS

The State of Maharashtra & ors.

... RESPONDENTS

.....
Mr. S.R. Kedar, Advocate for applicant
Mr. A.A.A. Khan, A.G.P. for State
Mr. R.S. Salve, Advocate holding for
Mr. H.V. Tungar, Advocate for R.No.3 and 4
Mr. A.R. Tapse, Advocate holding for
Mr. P.D. Suryawanshi, Advocate for R.No.2 in W.P.
.....

**CORAM : R.G. AVACHAT AND
NEERAJ P. DHOTE, JJ.**

DATE : 2nd SEPTEMBER, 2025

ORDER :

Leave to add the school as party respondent no.5.

Amendment to be carried out within two weeks.

2. This is an application filed by the petitioner seeking
following reliefs :-

- B) That, by issuing any appropriate order, respondents may kindly be directed to release subsistence allowances in favour of the applicant as permissible by law within a stipulated period.
- C) That, by issuing any appropriate order, suspension order dated 24/06/2024, issued by management may kindly be declared illegal and revoke in the light of Rule 37(2)9f) of the Maharashtra Employees of private Schools (Conditions of Service) Rules, 1981.

3. According to learned Advocate for the applicant/petitioner, though the petitioner who was working as Head Mistress with the respondent No.5 School run by respondent No.3 and 4 management, she is not paid the subsistence allowance though she is placed under suspension by order dated 24/6/2024. He submits that, the application be allowed.

4. Learned Advocate for respondent No.2 Education Officer (Primary), Zilla Parishad, Beed submits that, if the respondents No.3 to 5, the management, institution and the school respectively submit the bills for payment of subsistence allowance of the petitioner, the same would be processed as per rules.

5. Learned Advocate for respondents No.3 and 4 submits that, he has no instructions.

6. It is needless to state, there is no dispute that the services of the applicant/ petitioner are governed by the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 and the Rules, 1981. It is further needless to state that, as per Rule 33 of the said Rules, the subsistence allowance is required to be paid during the suspension period. We, therefore, direct the respondents No.3 to 5 to calculate the amount of subsistence allowance of the applicant/ petitioner and submit the bills accordingly to the respondent No.2 Education Officer within a period of two weeks from today. The respondent No.2 Education Officer shall process the said bills within a period of four weeks thereafter. The Civil Application stands disposed of.

(NEERAJ P. DHOTE, J.)

(R.G. AVACHAT, J.)

FMPathan/-