



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

960 WRIT PETITION NO. 6734 OF 2019

Kohinoor Shikshan Sanstha Aurangabad Through The Secretary
And Others

....Petitioner

VERSUS

The State Of Maharashtra And Others

.....Respondent

.....

Mr. Salunke V.d., Advocate for the Petitioner/Applicant

Mr. V. M. Kagne, AGP for Respondents-State

Mr. S. S. Thombre, Advocate for Respondent No.4

.....

CORAM : NITIN W. SAMBRE AND
SACHIN S. DESHMUKH, JJ.

DATE : 12th JUNE, 2025

ORDER :

1. Heard.

2. Mr. Salunke, the learned counsel for the petitioner has invited our attention to the order dated 10.08.2020 delivered in connected writ petition No.5031 of 2020. According to him, in view of directions issued by this Court to the respondent No.3, not only the approval was granted, but also the salary and arrears were released. He would claim that the petitioner in the present petition is identically situated in whose favour not only approval is granted from 24.08.2017, but the salary bills are also forwarded by the petitioner No.1 for releasing salary and arrears to the Joint Director of Higher Education. According to him, in writ petition No.5031 of 2020, similarly placed institution viz. (Minority Institution) is not insisted for NOC. In the present case, NOC from the department for carrying out appointment is found to be

necessary for not processing the salary bills and the payment of arrears.

3. The learned counsel for the respondent and the learned AGP submit that it is pursuant to the aforesaid order dated 10.08.2020 passed in writ petition No.5031 of 2020, the authorities have processed the request whereas in absence of there being such order in the present petition the request is kept pending for want of NOC at the time of appointment of the petitioners with the petitioner No.1-institution.

4. We have considered the said submissions.

5. The fact remains that the respondents have granted the approval to the appointment of the petitioner as is pointed out herein above and such approval is from the date of appointment viz. 24.08.2017.

6. It is also not in dispute that the salary and the bills for releasing arrears are already pending with the respondent Joint Director of Higher Education and same are not dealt with perhaps having regard to the pendency of present petition.

7. In that view of the matter, we deem it appropriate to dispose of the present writ petition with following order.

::ORDER::

a. The Joint Director of Higher Education, respondent herein shall forthwith decide the claim for not only the release of salary, but also the arrears from the date of grant of approval in regard to the petitioners and communicate the decision taken within a period of four (04) weeks from today.

b. While deciding the said claim, the said authority shall be sensitive to the fact that the approval is already granted by the said authority to the appointment of the petitioner from the date of 24.08.2017 and furthermore the grant of similar identical relief to the similarly placed employees in writ petition No.5031 of 2020.

c. With above observations and directions, the petition stands disposed of, in view of same pending civil applications, if any, stand disposed of.

[SACHIN S. DESHMUKH]
JUDGE

[NITIN W. SAMBRE]
JUDGE

HRJadhav