



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

902 WRIT PETITION NO. 12846 OF 2025

MARATHWADA SHIKSHAN PRASARAK MANDAL THROUGH ITS SECRETARY
AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. V.D. Salunke, Advocate for petitioners

Mr. R.B. Dhaware, AGP for respondent Nos.1 to 3

...

CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 20th NOVEMBER, 2025

ORDER :

. Present petition has been filed for issuing directions to respondent No.3 – Education Officer (Secondary), Zilla Parishad, Latur for grant of approval to the proposal submitted by petitioner No.1 for appointment of Headmaster and to provide the tab for processing salary bills of the teaching and non teaching staff of Dnyanvikas Secondary and Higher Secondary School, Patoda (Bk), Tq. Jalkot, Dist. Latur. Further directions are prayed against respondent No.3 that he should release the salary of petitioner

Nos.2 to 23 for the month from July, 2025 onwards.

2 Learned AGP relies on the affidavit-in-reply by respondent No.3 Dr. Dattatraya Shivlingappa Mathpati, wherein he has stated that according to him, since the Headmaster of the concerned school has not submitted the salary bills from July, 2025 to October, 2025 to the Superintendent of Pay Unit, Latur, the salaries are pending. According to him, he has not withheld the salaries. According to him, the earlier Headmaster had resigned on 10.10.2025 and the Secretary of the institution had informed about the said resignation to respondent No.3.

3 Learned Advocate for petitioners submits that in fact after the earlier Headmaster had tendered the resignation, it was not accepted by the Management and, therefore, he had approached respondent No.3 and respondent No.3 by order dated 25.04.2025 had directed the Management to take action on the resignation that was tendered by earlier Headmaster. Thereafter petitioner No.1 had accepted the resignation on 30.06.2025 and had intimated the said fact to respondent No.3. Since the institution had to appoint a full fledged Headmaster by following due process of law or appointing the Headmaster as per the seniority or rules prescribed thereunder, the Management had asked the senior-most teacher Shri. Gunale

to accept the In-charge Headmastership, but he did not show any interest and, therefore, the Management had asked the second senior-most teacher Smt. R.K. Kendre, who also refused to give consent and, therefore, the Management unanimously recommended the appointment of Mr. S.K. More as Headmaster. Accordingly, the order was issued on 28.06.2025 and thereafter proposal was made for his transfer for the said post. The said proposal was submitted on 01.07.2025 along with all the documents. There was no response from respondent No.3 and because of his act the salary bills since July, 2025 are being withheld.

4 We may not go into the disputed facts and also the fact that the proposal for approval in respect of Mr. S.K. More is pending, but for that purpose the salaries of all the staff members need not be withheld. Respondent No.3 in his affidavit has stated that the proposal for temporary approval to the post of Headmaster has been received and he would instruct the In-charge Headmaster to submit the salary bills. He has undertaken that the said proposal would be considered at the earliest. When this undertaking has been given, we **dispose of** the writ petition by directing respondent No.3 to consider the proposal submitted by petitioner No.1 on its own merits and should see that the salaries of the staff members are not withheld, unnecessarily and to grant the temporary approval and see that the code is

provided for submission of salary bill. He should make the arrangement by 15.12.2025 that the salaries of entire staff of the said school is received i.e. the salary from July, 2025 to November, 2025 and deal with the further proposal within a period of two months.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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