

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

**WRIT PETITION NO.3892 OF 2015
WITH
INTERIM APPLICATION NO.8418 OF 2025
IN
WRIT PETITION NO.3892 OF 2015**

Mrs.Prajakta Santram Zawre
W/o.Mr.Bapu Maruti Belote .. Petitioner
Versus
The State of Maharashtra and Ors. .. Respondents

**WITH
WRIT PETITION NO.3893 OF 2015
WITH
INTERIM APPLICATION NO.8419 OF 2025
IN
WRIT PETITION NO.3893 OF 2015**

Mrs.Manisha Dattatray Deshmukh .. Petitioner
Versus
The State of Maharashtra and Ors. .. Respondents

**WITH
WRIT PETITION NO.3894 OF 2015
WITH
INTERIM APPLICATION NO.8421 OF 2025
IN
WRIT PETITION NO.3894 OF 2015**

Ranjana Madhukar Madke .. Petitioner
Versus
The State of Maharashtra and Ors. .. Respondents

Mr.Saurabh Pakale a/w. Mr.Nilesh Desai, Advocate for the
Petitioner/Applicant.

Mr.V.M. Mali, AGP for Respondent No.1 in W.P.No.3892 of 2015.

Mr.S.B. Kalel, AGP for Respondent No.1 in WP.No.3893 of 2015.

Mrs.P.N. Diwan, AGP for Respondent No.1 in W.P.No.3894 of 2015.

Mr.Ajit M. Savagave, Advocate for Respondent No.2.

Ms.Anamika Malhotra, Advocate for Respondent No.3.

**CORAM: SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.**

DATED: 28th JULY 2025.

P.C.:

In this batch of writ petitions, the petitioners were seeking a direction for implementation of the provisions under the Government Circular dated 11th July 2000. This prayer was made in the context of the alleged action/inaction on the part of the respondent no.2—the Chief Executive Officer in not relieving the petitioners to tender their joining at Nashik Zilla Parishad. This grievance of the petitioners no longer survives as they have tendered joining and working under the Nashik Zilla Parishad. The learned counsel for petitioners submits that these writ petitions are confined to payment of salary for the period during which the petitioners were not permitted to work at the Nashik Zilla Parishad.

2. In Writ Petition No.3892 of 2015, the petitioner, namely, Mrs.Prajakta Santram Zawre w/o Mr.Bapu Mauti Belote has pleaded that she was relieved on 17th May 2016 to facilitate her joining under Nashik Zilla Parishad and she tendered her joining there on 20th May 2016 but on account of a subsequent decision she was not permitted to perform her duties. Her grievance is that she was not paid salary from 20th May 2016 to 16th December 2016 on the ground that she did not perform her duty during the said period under the Nashik Zilla Parishad.

3. From the proceedings in these writ petitions, it is noted that this Court passed an interim order on 19th October 2016 in the following terms:

“ Parties through their Counsel. Heard learned Counsel for interim relief. Undisputedly vide order dated 20th August, 2014 Exhibit E under the policy of keeping the husband and wife at the same place of work as far as possible, the Petitioner was transferred from the Thane Z.P (now Palghar) to Peherewadi, Tal: Igatpuri, District: Nashik. Thereafter as the Petitioner was not relieved by Palghar ZP she had no option but to continue at Palghar. After the Petitioner was relieved from Palghar she joined at Peherewadi, Tal: Igatpuri, District: Nashik. on 20th May, 2016. But vide order dated 27th September, 2016 issued by the Chief Executive Officer, Zilla Parishad, Nashik her posting to Peherewadi, Tal: Igatpuri, District: Nashik has been cancelled and she was directed to attend Zilla Parishad, Palghar.

2. Having considered the rival submissions, we are of the view that the impugned order dated 27th September, 2016 deserves to be and is hereby stayed with further direction to the respondents to allow the Petitioner to work at Peherewadi, Tal: Igatpuri, District: Nashik till further orders.”

4. Similar prayers are made in the other petitions vide Writ Petition No.3893 of 2015 by Manisha Dattatray Deshmukh and Writ Petition No.3894 of 2015 by Ranjana Madhukar Madke. These petitioners are also seeking a direction to the respondent no.3 to release their salaries for the period during which they were not permitted to perform their duties at Nashik Zilla Parishad.

5. Manisha Dattatray Deshmukh was relieved by Palghar Zilla Parishad on 4th July 2016 and she tendered her joining at Nashik Zilla Parishad on 8th July 2016. Similarly, Ranjana Madhukar Madke was relieved by the Palghar Zilla Parishad on 17th May 2016 and she tendered her joining with Nashik Zilla Parishad on 23rd May 2016. Manisha Dattatray Deshmukh claims salary for 162 days and Ranjana Madhukar Madke seeks a direction for payment of salary for 208 days.

6. These writ petitions were filed in 2015 but no reply affidavit has been filed on behalf of the Nashik Zilla Parishad—the respondent no.3.

7. The learned counsel for the petitioners has also referred to an order passed by this Court in Writ Petition No.9573 of 2022 which was disposed of with the following observations:

“1. It is informed by Mr. Pakale, counsel for the Petitioners that the petitions are already transferred to Nashik and as such, the claim to the extent of transfer has already been redressed by order dated 16th November, 2016. As such, the writ petitions are rendered infructuous.

2. We direct the Zilla Parishad, Nashik, who dealt with the prayer of the Petitioner/s about release of all the consequential benefits to which the Petitioner/s are entitled in accordance with the law within a period of three months from the date of production of this order. In case, if the claim of the Petitioner/s are adverse to their interest, they shall be at liberty to resist the same before the Competent Authority.

3. The Writ Petitions are disposed of as infructuous. Pending applications, if any, also stand disposed of.”

8. In light of the limited prayer made by the petitioners, these writ petitions are disposed of with a direction to the Nashik Zilla Parishad–respondent no.3 to make payment of unpaid salary to the petitioners, within next eight weeks. We are passing this order in view of the materials on record which establish that the petitioners were not at fault. We have also this in mind that the date of relieving by the Palghar Zilla Parishad and the date of joining of the petitioners with the Nashik Zilla Parishad are not disputed by the respondents.

9. These writ petitions are disposed of accordingly.

10. In view of disposal of the writ petitions, the Interim Application Nos.8418 of 2025, 8419 of 2025 and 8421 of 2025 are disposed of.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]