



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 2720 OF 2024

(Alka d/o Suryabhan Shelukar (married name Mrs. Alka w/o M. Rupawane) ..vs.. The Deputy Director
of Education, Amravati and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C.B. Bailmare, Counsel for the petitioner,
Mr. J.Y. Ghurde, A.G.P. for respondent Nos.1 and 4,
Mr. Anand Parchure, Counsel for respondent Nos.2 and 3.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 18-03-2025

The petition questions the order of approval dated 05-10-2023, which grants approval to the petitioner w.e.f. 01.3.2016, to the extent of Note No.2 which directs, that he would not be granted benefits earlier to 28-3-2023. The order dated 28-3-2023 passed in Writ Petition No.5246/2018 (Page No.40), does not indicate any such direction. If the petitioner has been denied salary, w.e.f. the date of approval which is 01-3-2016, the respondent No.1 ought to have assigned reasons as to why the petitioner is not entitled for salary from the date of the approval. The impugned order except for the Note No.2 does not assign any reason for such denial.

2. We, therefore, set aside the Note No.2 in the order dated 05-10-2023 and remit the matter back to the respondent No.1 for assigning reasons as to why, when the approval has been granted to the petitioner w.e.f. 01-3-2016,

the salary and other emoluments from that date are being denied.

3. The petition is allowed in the above terms. The petitioner to place copy of this order before the respondent No.1 within a period of one week from today who shall decide the same by giving reasons and in case there are no reasons or ground available, pass an appropriate order in that regard, for release of the salary and other emoluments, w.e.f. 01-3-2016, within a period of three weeks from the date of receipt of copy of this order.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

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