



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 WRIT PETITION NO. 1386 OF 2026

Smt. Kamal Mansing Pawar

...Petitioner

VERSUS

The State Of Maharashtra And Others

...Respondents

...

Mr. V.G. Salgare, Advocate for the Petitioner

Mr. S.B. Pulkundwar, AGP for Respondents/State

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

DATE : 06 FEBRUARY 2026

ORDER :

. Present petition has been filed for following relief:

“B) By writ, order or directions the respondent No. 5 and 6 may kindly be directed to sanction and pay the salary bill of the petitioner for the extension/reappointment period of the petitioner on the post of Head Mistress from the period 01.01.2020 to 30.04.2020 with interest as per law in the interest of justice.”

2. The petitioner has served as Headmistress from 25.06.2009 with Respondent No. 6-School. She was due to retire from the post of Headmistress on 31.12.2009, however, prior to her retirement, Respondent No. 7 had submitted the proposal for extension of her period under the provisions of Rule 17(2) of Maharashtra Employees of Private

Schools (Conditions of Service) Rules, 1981 to Respondent No. 5 on 22.12.2019. Respondent No. 5 then granted approval to the extension/reappointment of the petitioner on the said post for the second session of the academic year 2020-2021 ie. from 01.01.2020 to 30.04.2020. Accordingly, she has worked on the said post, but salary bills which have been submitted by Respondent No. 5 and 6 have not yet been cleared. Hence, the petition.

3. Learned AGP waives service of notice for Respondents No. 1 to 6. No necessity to issue notice to Respondents No. 7 and 8.

4. Documents on record show that the petitioner was allowed to be reappointed for the aforesaid period. Therefore, when she has worked for the said period in view of the permission, she should receive the due salary. The conditions have been put in the permission dated 09.01.2020 in view of Rule 17(3) of Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981. It has been stated in the petition that, Respondent No. 6 had made queries and directed Respondent No. 8 to show the deduction of pension from salary of the petitioner by an endorsement dated 27.03.2024. Thereafter, the clarification has been given by Respondent No. 8, which is then submitted to Respondent No. 6 on 30.06.2024. Even if the query is made and the explanation has been tendered it appears that Respondents No. 5

and 6 have not taken steps to release the due salary of the petitioner. We are making it clear that we are not deciding what is the due amount, but it should be decided according to the Rules by Respondent No. 6.

5. We dispose of the writ petition by directing Respondents No. 5 and 6 to decide the salary bill and disbursed the salary to the petitioner within a period of six weeks from today.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

Bhagyawant Punde