



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 4099 OF 2017**

Swapnil

**WITH
INTERIM APPLICATION NO. 8469 OF 2024**

Swacchanad Shikshan Prasarak

Mandal Majiwade V.V.C.H.S. Ltd.

and Anr. ... Petitioners

Vs.

Nanda Balasaheb Shinde and Ors. ... Respondents

**WITH
WRIT PETITION NO. 3267 OF 2007**

Panchashil Primary School and Anr. ... Petitioners

Vs.

Nanda Balasaheb Shinde and Ors. ... Respondents

Mr. Akshay A. Patil, Mr. Gopal C. Dalvi, Ms. Yogita G. Gogar
for the petitioner in WP/4099/2017 and WP/3276/2007.

Mr. Mayuresh Lagu, Mr. Sagar Patil, Mr. Shashank Dubey for
respondent no.1 in WP/4099/2017.

Mr. Ajit R. Pitale for respondent no.2 in WP/4099/2017.

Mr. Mandar Limaye h/f. Mr. Vedant Bende for respondent
no.2 in WP/3267/2007.

Dr. Milind Sathe, Advocate General, Ms. Neha Bhide, AGP,
Mr. B. V. Samant, AGP, Mr. Yatin Khochare, B panel counsel,
Mr. Y. D. Patil, AGP for the State.

Mr. Rajesh Kankal, Deputy Director Education.

Mr. Sheshrao Badhe, Education Officer Thane Municipal
Corporation.

Mr. Baban Gomase, Education Inspector, Deputy Director Office.

Mr. Balasaheb Rakshe, Education Officer (Primary), Zilla Parishad, Thane.

Ms. Suchitra Hiranman Pawar, Treasurer of the Petitioner

CORAM : GAURI GODSE, J.

DATE : 18th February 2026

ORDER :

1. Despite various orders passed in these writ petitions since 14th February 2024, the grievance is that the respondent teacher has not received her backwages and the retirement benefits.

2. In accordance with the earlier orders, the learned AGP was requested to take appropriate instructions in view of the directions issued by the school tribunal. Since there was no response from the office of the deputy director to the correspondence issued by the AGP's office, and the learned Government Pleader expressed concerns that difficulties were being faced in obtaining information from the concerned officers, the learned Advocate General was requested to appear in the matter.

3. In the second session, the learned Advocate General appeared and submitted that he is aware of the concerns expressed by the learned Government Pleader, and that an appropriate mechanism shall be put in place for proper coordination between the Government Pleader's office and the concerned departments. He also submitted that the necessary instructions shall also be given to the concerned AGPs.

4. Learned Government Pleader on instructions of the deputy director of the education department, submits that an adequate proposal for releasing the retirement benefits is required to be submitted through the Education Officer, Thane Municipal Corporation, to the Education Officer (Primary), Zilla Parishad, Thane. She further submits that the final action on the proposal shall be taken by the Pay Unit, Education Department (Primary) Zilla Parishad, and thereafter the papers would be forwarded to the office of the Accountant General.

5. Regarding the directions issued by the school tribunal in the impugned order and the further directions issued by this court, she submits on instructions of the deputy director

who is present in the court that appropriate notice has already been issued to the management and appropriate action shall be taken in accordance with law within two weeks from today. She further submits that further action taken shall be placed before this court by filing a report.

6. The learned Government Pleader has also tendered the list of documents for processing the pension papers. The list is taken on record and marked as 'X1' with today's date for identification. The copy of the list is handed over to the learned advocate appearing for the management and the learned advocate appearing for respondent no.1.

7. Learned counsel for the petitioner (management) on instructions submits that all the actions for preparing the papers for payment of backwages as per the impugned order and the retirement benefits shall be prepared by the management at the earliest and shall be forwarded immediately after the required papers are signed by respondent no. 1. Learned counsel for respondent no.1 submits that he shall assist respondent no.1 in completing the formalities for preparing the pension papers. Learned counsel for respondent no.1, on instructions of respondent

no.1, who is present in the court, submits that she shall cooperate to complete the papers for submitting the proposal for release of the backwages and retirement benefits.

8. The order of reinstatement was never stayed by this court. Hence, there was no reason for not taking steps to release the backwages and the retirement benefits. All parties shall cooperate to complete the process for the release of back wages and pension benefits. Learned counsels appearing for the parties submit that the process for completing the submission of papers for the release of backwages and pension benefits would be completed within one week from today. The statements made on behalf of the parties present in court are accepted as assurances to the court.

9. List both the petitions on 26th February 2026.

10. To be listed under the caption “for final disposal”.

11. To be listed first after the admission matters on the daily board.

[GAURI GODSE, J.]