



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

Swacchanad Shikshan Prasarak Mandal

Majiwade V.V.C.H.S.. Ltd. and Anr. ... Petitioners

Vs.

Nanda Balasaheb Shinde and Ors. ... Respondents

**WITH  
INTERIM APPLICATION NO. 8469 OF 2024  
WITH  
WRIT PETITION NO. 3267 OF 2007**

Mr. Akshay A. Patil , Mr. Gopal L. Dalvi, Ms. Yogita G. Gogar,

Mr. Rutik P. Katkar for the petitioners.

Mr. Mayuresh L. for respondent no.1.

Mr. A. S. Jadhav i/b. Mr. Mandar Limaye for respondent no.2.

Mr. Ajit Pitale for respondent no.3 in WP/4099/2017.

Mr. Y. D. Patil AGP for the State.

Mr. Yatin K. 'B" Panel/AGP.

Mr. Rajesh Kankal, Deputy Director of Education.

Mr. Sambhaji Pawar, Supertendant Pay Unit (Primary)  
Thane.

Mr. Sheshrao Bade, Thane Municipal Corporation Education  
Officer.

**CORAM : GAURI GODSE, J.**

**DATE : 7<sup>th</sup> MARCH 2026**

**ORDER :**

1. Learned counsel for the petitioners on instructions submits that pursuant to the statement made before this court, as recorded in order dated 26<sup>th</sup> February 2026, the entire proposal for payment of backwages and for compliance of the orders passed in both the petitions including the retirement benefits are completed to the satisfaction of respondent no.1 and are submitted to the Pay Unit of Zilla Parishad (Primary), Education Department on 4<sup>th</sup> March 2026. He further submits that some discrepancies were pointed out by the concerned department which are complied with on 6<sup>th</sup> March 2026.

2. Learned AGP on instructions of the Deputy Director who is present in the court submits that the Government would be liable to pay only an amount of Rs.4,16,931/- towards backwages. According to the learned AGP, the balance amount, if any, towards backwages would be liable to be paid by the management. He submits that the aforesaid amount would be released in the account of respondent no.1 by 11<sup>th</sup> March 2026. The statement made on behalf of the Deputy Director who is present in the court is accepted as an assurance to this court.

3. Learned respective counsels for the petitioner and respondent no.1 dispute the statement made by the learned AGP that only the aforesaid amount would be payable. According to them, the entire amount towards backwages would be liable to be paid by the State Government, as respondent no.1 was working on the sanctioned aided post.

4. By keeping the issue open as regard to the liability to make the payment towards the backwages, the State Government shall release the aforesaid amount to the account of respondent no.1 as assured to this court and recorded in this order.

5. It is clarified that the issue as to the liability of the management or the State Government to make the payment towards the backwages is kept open.

6. Learned AGP on instructions of the Deputy Director who is present in the court submits that the proposal regarding the release of retirement benefits and pension shall be completed by 11<sup>th</sup> March 2026.

7. It is clarified that the issue as to respondent no.1's entitlement to a particular amount towards the retirement

benefits and pension is kept open.

8. The statements made on behalf of the Deputy Director are accepted and therefore the amount shall be released by keeping the issue on the liability to make the payment of entire backwages open.

9. List these writ petitions for recording compliance of these statements on 12<sup>th</sup> March 2026. To be listed first on the board.

10. The parties are put to notice that the writ petitions will be heard for final disposal on 26<sup>th</sup> March 2026.

11. The writ petitions shall be listed for final disposal on 26<sup>th</sup> March 2026. To be listed first on the daily board.

**[GAURI GODSE, J.]**