



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 601/2025

- 1) Sudhir S/o. Murlidhar Kamble,
Aged 48 years, Occ.: Service,
R/o. C/o. Bharatratna Rajiv
Gandhi Uccha Prathamik
Shala, Deoli, Tah. Deoli,
Dist. Wardha.

... **PETITIONER**

...VERSUS...

- 1) State of Maharashtra through
its Secretary Education
Department, Mantralaya Mumbai 32.
- 2) Education Officer (Primary)
Zilla Parishad, Wardha
Tq. and District Wardha.
- 3) The Superintendent, Salary
and Provident Fund Unit
(Primary), Wardha,
Tq. & District Wardha.

... **RESPONDENTS**

Ms. S. S. Dashputre, Advocate for the petitioner
Mr. N. M. Kolhe, Advocate for the respondent no. 2
Mr. N. R. Patil, AGP for respondent/State

CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.

DATED : 22nd JANUARY, 2026.

ORAL JUDGMENT (PER : NANDESH S. DESHPANDE, J.)

1. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.

2. The only grievance in the petition seems to be the rejection of the claim for back wages from 08.09.2018 to 07.03.2023, as per the averments made in the petition. Since the petitioner was dismissed from service, he challenged the same before the learned Presiding Officer, School Tribunal, by filing an appeal bearing No. 10/2018. In the said matter, a compromise was reached between the petitioner and the management on 10.02.2023. According to the said compromise, the management would send a bill of the arrears of salary to the Education Officer and would cooperate for payment of the said bill. By way of the impugned order, the Education Officer has rejected the claim for arrears of salary. It is this order which is challenged in the present petition.

3. We have heard Ms. S. S. Dashputre, learned counsel for the petitioner, Mr. N. R. Patil, Additional Government Pleader for respondent no. 1 / State, and, Mr. N. M. Kolhe, learned counsel for the respondent no. 2. We have also perused the compromise

between the petitioner and the management.

4. When confronted, and as can also be seen from the record, the respondent no. 2, the Education Officer, was never a party to the compromise entered into between the petitioner and the management before the learned School Tribunal. Therefore, the action of the Education Officer in rejecting the claim for arrears of salary cannot be faulted with.

5. The learned counsel for the petitioner tries to submit that, even though the Education Officer was a party to the main appeal, she candidly admits that the said authority was not a party to the compromise. Therefore, in our considered opinion, the compromise entered into between the petitioner and the management cannot bind the Education Officer, more particularly when a fiscal liability is sought to be fastened upon the Education Officer.

6. In that view of the matter, we find no merit in the petition, and the petition is accordingly dismissed.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Shubham