



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 8024 OF 2018

(Sanjay s/o Sarjerao Pawar

Vs.

The State of Maharashtra, Education and Sports Department, Thr. its
Secretary & Ors.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. A.D. Mohgaonkar, Advocate for the Petitioner.

Mr. A.M. Joshi, AGP for the Respondent No.1/State.

Mrs. B.P. Maldhure, Advocate for the Respondent No.2.

Mr. C.V. Kale, Advocate for the Respondent Nos. 3 & 4.

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

DATED : 18th FEBRUARY, 2025

Heard.

2. The Petition questions the communication dated 03.08.2017 (page 31), which calls upon the Management in which the Petitioner claims to have been employed as an Assistant Teacher from 2007, to reimburse to the State a sum of Rs.18,51,620/- which has been received by the Management by misleading the State as grant-in-aid.

3. It is an admitted position, that the communication dated 03.08.2017 has been addressed to the Management/Respondent Nos.3 and 4 who has not challenged the same. The Petitioner therefore, would have no locus to question the same, on account of which, the challenge to the said communication dated 03.08.2017 at the behest of the Petitioner, is rejected.

4. The Petition also questions the report dated 20.02.2018 (page 45), to the extent, it holds that there was no material to indicate that the Petitioner was employed on 01.07.2007 by the Management. In this context, we find that except for a purported senior list, which is at page 30, there is no material on record whatsoever to indicate the employment of the Petitioner with the Management with effect from 01.07.2007. The material on record indicates that the Petitioner has been appointed on 15.01.2014 (page 80). That being the position, we reject the challenge to the report dated 20.02.2018 raised by the Petitioner.

5. The Petition is therefore **dismissed**.

6. Needless to say, that the Petitioner would be entitled to claim the salary for his engagement with the Management in terms of the appointment order dated 15.01.2014 (page 80) in terms of the Rules and Policy as applicable in law, in case it is not already paid, as Mr. Kale, learned Counsel for the Respondent Nos.3 and 4, upon instructions makes a statement, that the salary to the extent permissible in respect to the Petitioner, already stands deposited in his bank account.

7. Pending application/s, if any, shall stand disposed of accordingly.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)