

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**Writ Petition No.7160 Of 2010**

Suresh s/o Bansidhar Nagve. .. **Petitioner.**

**Versus**

The State of Maharashtra  
And Others. .. **Respondents.**

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Shri. M.R. Choudhari, Advocate for petitioner.

Shri. K.J. Ghute Patil, Assistant Government Pleader, for  
respondent Nos.1 to 5.

Shri. Vivek Bhavthankar, Advocate, for respondent No.7.

Shri. Darshan Kulkarni, Advocate, for respondent No.8.

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**CORAM: NARESH H PATIL &  
T.V. NALAWADE, JJ.**

**DATE 30 AUGUST 2011**

**PER COURT :**

1) Heard.

2) The petitioner is seeking directions to the  
respondents for getting his service approved and for payment  
of salary. The petitioner further prays to issue directions to  
respondent Nos.6 to 8 to submit proposal of the petitioner.

3) Respondent Nos.2 and 4 filed affidavit-in-reply. In para 5 the deponent contends :

"5. The petitioner who was serving under the jurisdiction of Deputy Director of Education, Aurangabad Region, Aurangabad in the year 2000 to 2004 and therefore the matter regarding the approval and payment of salary is required to be decided by the Respondent no.3, Deputy Director of Education, Aurangabad Region, Aurangabad. The Deputy Director of Education, Latur Region, Latur is therefore not in a position to fix and decide the payment of salary of the petitioner."

4) Learned counsel appearing for the Zilla Parishad and the State submit that in the facts of the case the Deputy Director of Education Aurangabad Region, Aurangabad is the competent authority to decide the issue by going through the relevant record and after hearing the parties.

5) Learned counsel for the respondents - Management submits that required proposal would be submitted by the management to the Deputy Director of Education, Aurangabad Region, Aurangabad, within four weeks from today.

6) Learned counsel for the petitioner submits that though the petitioner has filed representation on 5-7-21010, a fresh comprehensive representation would be submitted

addressed to the Deputy Director of Education, Aurangabad Region, Aurangabad, within four weeks. In case the Deputy Director receives representation addressed by the petitioner then we direct, respondent No.3-Deputy Director of Education, Aurangabad to decide the representation after considering the entire record, rules framed in this regard and after hearing necessary parties. The Deputy Director shall pass appropriate brief reasoned order on the representation within 8 weeks after receipt of the representation. The order be communicated to the necessary parties.

7) With these directions, the writ petition stands disposed of.

Sd/-  
**(T.V. NALAWADE, J.)**

Sd/-  
**(NARESH H PATIL, J.)**

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