



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

WRIT PETITION NO. 938 OF 2020

PETITIONER :- Manik S/o. Tarachand Ramteke, aged about 60 years, Occupation: Retired, R/o. Khat Road, Bhandara, Tah. And Dist. Bhandara.

..VERSUS..

RESPONDENTS :- 1) The Deputy Director of Education, Nagpur Region, Nagpur.
2) The Education Officer (Secondary), Zilla Parishad, Bhandara.
3) The Education Officer (Secondary), Zilla Parishad, Gondia.
4) Dnyan Sanwardhan Shikshan Sanstha, having its office at Gond Umari, Tah. Arjuni/Morgoan, Dist. Gondia, through its President Gangadhar Dongre, aged about 59 years, Occupation: Retired, R/o. Gose (BK.) Tah. Pauni, Dist. Bhandara.
5) Mahatma Gandhi High School, Bampewada, Tah. Sakoli, Dist. Bhandara, through its Headmaster.
6) Sudhakarao Naik High School and Junior College, Bodde (Karad), Tah. Arjuni/Morgoan, Dist. Gondia, through its Headmaster.

Mr. N. B. Kalwaghe, Advocate for Petitioner.

Mr. A. M. Kadukar, A.G.P. for the Respondent/State.

CORAM : **ANIL S. KILOR AND**
VRUSHALI V. JOSHI, JJ.

DATE : **31/07/2025**

ORAL JUDGMENT : (Per : Anil S. Kilor, J.)

1. Heard.

2. **Rule.** The Rule is made returnable forthwith. Heard finally by consent of learned counsel for the respective parties.

3. In the present matter, a prayer is made for direction to the respondent Nos.1 to 3 to pay and release an amount of Rs.11,10,676/- along with interest to the petitioner towards arrears of emoluments by deducting the same from non-salary grants which are payable to the respondent Nos.4 to 6 till satisfaction of the entire claim of the petitioner.

4. The brief facts of the present case are as under :-

The petitioner was appointed on the post of 'Assistant Teacher/Junior College Lecturer' in respondent No.5-School on 02.08.1984. He was then terminated on 30.12.1995 thereupon, he approached the Tribunal by filing appeal challenging termination

order. In the appeal, he sought relief of reinstatement, backwages, etc. The Tribunal allowed the said appeal with direction to the respondent No.4 and 5 to reinstate the petitioner on his original post as Lecturer from the date of termination i.e. 30.12.1995 and to pay arrears of emoluments to the petitioner for a period from 01.01.1996 till the date. As on the date of filing of the petition, the petitioner's claim is for Rs. 11,10,676/-.

5. However, in view of the affidavit filed by the Deputy Education Officer, dated 03.04.2024, the balance amount to be paid to the petitioner is of Rs.9,53,948/-. The Deputy Education Officer in his affidavit further states that, Rs.2,27,316/- is to be paid to the society under the head of non-salary grants and this amount is available with the Education Officer (Secondary), Zilla Parishad, Bhandara and similarly, Rs.1,08,660/- is available under the same head with the Education Officer (Secondary), Zilla Parishad, Gondia.

6. The learned A.G.P. confirms both the amounts after taking the instructions from the Education Officer (Secondary), Zilla Parishad, Gondia and Bhandara.

7. In light of the affidavit, Mr. Kalwaghe, learned counsel for the petitioner submits that, this petition can be disposed of with a direction to the Education Officer (Secondary), Zilla Parishad, Gondia and Bhandara to pay the said amount of Rs.2,27,316/- and Rs.1,08,660/- respectively to the petitioner.

8. As far as the balance amount is concerned i.e. Rs.6,17,972/-, after the payment of the above referred amount, the same shall be paid as and when the amount for non-salary grants would be payable to the respondent Nos.5 and 6/School and available. The Management and the Education Officer has no objection for such arrangement. Accordingly, we pass the following order :-

- i) The writ petition is **allowed**.
- ii) The Education Officer (Secondary), Zilla Parishad, Bhandara, is directed to pay Rs.2,27,316/- as available towards non-salary grants payable to the respondent No.5, to the petitioner. Further, the Education Officer (Secondary), Zilla Parishad, Gondia is directed to pay

Rs.1,08,660/- available under the non-salary grants for payment to the respondent No.6, to the petitioner.

- iii) It is further directed to the Education Officer (Secondary), Zilla Parishad, Bhandara and Education Officer (Secondary), Zilla Parishad, Gondia, to pay the non-salary grants to the petitioner whenever such non-salary grants are available for payment to the respondent No.5 and 6, untill the whole amount of Rs.6,17,972/- is paid to the petitioner.

Rule is made absolute in above terms. No costs.

(VRUSHALI V. JOSHI, J.)

(ANIL S. KILOR, J.)