

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 20 OF 2024

Parmeshwar Dattatraya Hore And Ors ...Petitioners

Versus

State Of Maharashtra and Ors ...Respondents

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Mr. Narendra V. Bandiwadekar i/b Ashwini Bandiwadekar, for
the Petitioner.

Ms. R.A. Salunkhe, AGP for Respondent Nos. 1 and 2.

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CORAM : NITIN JAMDAR &
M.M.SATHAYE, JJ.

DATE : 9 JANUARY 2024

P.C.:

. Heard learned counsel for the parties. The Petitioner is seeking direction to the Respondent-Management to submit proposal to the State Government seeking approval to Petitioners' appointment as full time teachers with effect from 12 June 2003. Petitioners will give notice to Respondent Nos. 3 and 4 and file affidavit of service. Stand over to **7 February 2024**.

2. In the meanwhile, we reiterate the legal position and even if there is no approval granted to the Petitioners and if they continue to work with Respondent Nos. 3 and 4, Respondent

Nos. 3 and 4 are responsible as a primary employer to pay salary due to the Petitioners as per Rules and cannot terminate services of the Petitioners solely on the ground that the approval is not granted. Since the liability is entirely on the Management to pay salary to the Petitioners, if Respondent Nos. 3 and 4 want reimbursement or payment of grant, it is they who should have approached the Court for necessary reliefs.

(M.M.SATHAYE, J.)

(NITIN JAMDAR, J.)