



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

914 WRIT PETITION NO. 492 OF 2024

JAYESHKUMAR GANGADHAR KARDILE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA THROUGH ITS  
PRINCIPAL SECRETARY AND OTHERS

...  
Shri Rahul S. Pawar, Advocate for the Petitioners  
Shri A.B. Girase, GP for the Respondents/State

...  
CORAM : RAVINDRA V. GHUGE  
&  
R.M. JOSHI, JJ.

DATE :- 01<sup>st</sup> March, 2024

Per Court :-

1. The learned Advocate for the Petitioners insists that these Petitioners are eligible.
2. The learned Government Pleader submits that a serious issue is before the State Government. Even limbs of the State Government are reluctant to supply documents and copies of the proposals, which would indicate as to which are the special teachers in whose cases the proposals were forwarded, whether the candidates were eligible having pre-requisite qualifications and whether appointments were legally made. He



submits that there are three categories that emerge and the State is required to file an affidavit in reply keeping in view such three categories viz. a) those candidates who have been appointed without any proposal being on record; b) candidates whose proposals were on record, but did not have requisite qualifications; and c) those candidates whose proposals are in place and they have the requisite qualifications.

3. It goes without saying that those Petitioners, who fall in category 'C', will be entitled for benefits. We, therefore, grant time to the Government Pleader to first place before us that category of special teachers, who fall in the above category 'C' so that we can issue directions for payment of their salaries as well as their arrears since they are awaiting payment of salary and claim to be working and discharging duties without salary.

4. Let an affidavit in reply with regard to this category 'C' be filed in this Court on or before 15.03.2024. If there is no legal impediment, the authorities may release monthly salaries of such eligible candidates, as per the scales which are mentioned in their appointment orders.

5. **We are listing this matter through a separate cause list, alongwith Writ Petition Nos.7203/2021, 12271/2021,**



6536/2021, 12481/2023, 9497/2021 and 9481/2021, on  
22.03.2024.

*kps* ( R.M. JOSHI, J. )

( RAVINDRA V. GHUGE, J. )