

(1)

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
29 WRIT PETITION NO. 11804 OF 2017
WITH
CIVIL APPLICATION NO.13894 OF 2017
IN
WRIT PETITION NO.11804 OF 2017**

Maharashtra Rajya Apang Shala/
Karm Shala Karmachari Sangh
through its President S. W. Biradar ..Petitioner

Versus

The State of Maharashtra & Ors. ..Respondents.

.....

M/s. Talekar and Associates for Petitioner.

Mr. S. B. Yawalkar, AGP for Respondent-State.

.....

**CORAM : S V GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.**

DATED : 5th JUNE, 2018.

PER COURT :-

1. The short affidavit is filed by the petitioner alongwith chart. The institutions from serial nos.177 to 202 have not filed appeal against the order of de-recognition. The employees of these institutions have not yet been absorbed.

2. The learned A.G.P. states that he will take instructions in respect of the status of the absorption of these employees.

3. It also appears from the chart that the appeals in respect of the institutions from serial nos.1 to 11 are allowed. Once the appeal is allowed, the order of de-recognition stands set aside. The institutions will have to be run and

(2)

the management is required to submit the salary bills and if, inspite of the appeal being allowed, the management is not running the institutions, the Government is required to take steps either to de-recognise the same or absorb the employees therein as per their merit and policy. The learned A.G.P. shall also take instructions with regard to the institutions in detail in respect of the employees from serial nos. 1 to 11.

4. The Government is also expected to decide the appeals on priority basis. On one hand, the Government has taken up policy decision not to absorb the employees in respect of the de-recognized institutions till the pendency of the appeals and on the other hand, appeals are not decided for more than one year.

5. The learned A.G.P. shall also take instructions with regard to the period, within which the appeals shall be decided on priority basis.

6. Place the matter on 12.06.2018.

(SUNIL K. KOTWAL, J.)

(S V GANGAPURWALA, J.)