

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

WRIT PETITION NO. 376 OF 2015

Anand Prakash Joshi

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Sharad V. Natu, Advocate for the Petitioner.

Shri K. J. Ghute Patil, A.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
V. L ACHLIYA, JJ.**

DATE : 13TH JANUARY, 2015.

PER COURT :

. Mr. Natu, the learned counsel submits that, the petitioner is working as clerk and even as per the Government Resolution dated 23.10.2013, two posts of clerk are available, however, the same is not considered while declaring the petitioner surplus. The petitioner has also raised an objection with regard to the same with the Education Officer, but the Education Officer has not taken cognizance of the said objection.

2. The learned A. G. P. submits that, if the said objection is pending, the Education Officer shall decide the said objection.

3. In the light of the above, we pass the following order.

4. The Education Officer shall decide the objection raised by the petitioner (Exhibit - F) on its own merits and after considering Government Resolution dated 23.10.2013, so also the policy and after hearing the petitioner and the management. The same shall be done expeditiously and preferably within a period of one (1) month from the date of this order. The writ petition accordingly is disposed of. No costs.

5. Till the Education Officer decides said objection, *status quo* as on today be maintained including that of payment of salary.

[V. L ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]