

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3295 OF 2013

MAHILA SHIKSHAN PRASARAK MANDAL, PANGAON
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
WRIT PETITION NO.3269/2013

SAMTA SEVA BHAVI SHIKSHAN PRASARAK MANDAL
V/S
THE STATE OF MAHARASHTRA AND OTHERS

...
WRIT PETITION NO.3281/2013

OSMANABAD ZILLA SAMAJ SEVA MANDAL
V/S
THE STATE OF MAHARASHTRA AND OTHERS

....
WRIT PETITION NO.3976/2013

TULJAI PRATISTHAN BAHUUDSHIYA SANSTHA
V/S
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Rodge Pratap G.
AGP for Respondent State : Mr.G.K.Thigale

...
**CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.**
DATED : 5th MARCH, 2015

P.C. :-

The dispute in all these petitions is with regard to the sanction

of the post of Peon. According to the learned counsel for the petitioners, in all these matters four posts of Peon are admissible but only two posts are being sanctioned. Learned counsel submits that sufficient strength is available for sanction of the four posts of Peon. However, the same is not being considered in the proper perspective. In other schools for the same number of strength of students four posts are made admissible.

2] The learned AGP submits that as per Government Resolution dated 25/11/2005, only two posts of Peons are sanctioned to the said school and the same is rightly considered.

3] In Government Resolution dated 20/3/2015, it is very clearly stated that the Government Resolution dated 25/11/2005 is not implemented so also in the Government Resolution of 2015, the Government Resolution of 2013 is not being implemented. As such, it would not be appropriate to rely on the Government dated 25/11/2005 for considering staffing pattern and the sanctioned post of Peon.

4] In light of the above, respondent shall reconsider the request of the petitioners for sanction of the post of Peon. Respondent will have to consider the relevant provisions of the Secondary School Code so

also the prevailing Government Resolution made applicable to the staffing pattern. The same shall be considered and decided expeditiously preferably within four months.

5] Writ Petitions are disposed of. No costs.

V.L.ACHLIYA, J.

S. V. GANGAPURWALA, J.

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