

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

WRIT PETITION NO.:6868 OF 2009

Smt. Rekha Hukumchand Patni
VERSUS
The State of Maharashtra and others

Mrs. Asha S. Rasal, Advocate for Petitioner.
Mr. K.G.Patil, A.G.P. for Respondent/State Authorities.
Mr. A.H. Kasliwal, Advocate for Respondent No.4.

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

DATE : 04th February, 2015.

P.C.:

1. The order rejecting the proposal for approval is assailed.
2. Heard the learned counsel for the Petitioner.
3. It is submitted that the learned counsel for the Education Officer has been intimated.
4. The proposal is rejected only on the ground that the admission of the Petitioner for the D.Ed. course has been cancelled. Vide order of the even date passed in Writ Petition No.6753 of 2005, we have set aside the order cancelling the D.Ed. admission and in view of that, the admission of the Petitioner to the D.Ed. course was legal and proper.
5. The reason for rejection of the proposal seeking approval to the appointment of the Petitioner i.e. cancellation of admission to the D.Ed. course does not survive.

6 In light of the above, we pass the following order:

- I. The impugned order is quashed and set aside.
- II. The Respondent – Education Office shall consider the proposal submitted to it seeking approval to the appointment of the Petitioner afresh on its own merits and shall not reject it on the ground that the admission of the Petitioner to the D.Ed. course was cancelled.
- III. The Education Officer shall consider the said proposal, expeditiously, preferably within four months.
- IV. Accordingly, the writ petition is disposed of. No costs.

[V. L. ACHLIYA, J.]

[S. V. GANGAPURWALA, J.]

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