

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

Writ Petition No. 4580 of 2015

Shri Jagan s/o. Rangnath Ambhore,
Age : 45 years,
Occupation : Service,
R/o. Gaourao Plaza Apartment,
Plot No. 76 (Flat No.8),
Samartnagar, Aurangabad.

.. Petitioner.

versus

1. The State of Maharashtra,
School Education Department,
Mantralaya, Mumbai
(Through its Secretary).
2. The Deputy Director of Education,
Aurangabad Division, Aurangabad.
3. The Education Officer (Secondary),
Zilla Parishad, Aurangabad.
4. Rashtriya Charitable Trust,
Aurangabad,
Taluka & District : Aurangabad,
Through its Secretary (Shri Nitin Patil),
R/o. Hotel Kohinoor Plaza, Niralabajar,
Samartnagar, Aurangabad.
5. Rashtriya Charitable Trust,
Aurangabad,
Taluka & District : Aurangabad,
Through its President (Shri Suresh Patil),
R/o. Hotel Athiti Near Fayarbrigred,
Jalna Road, Sevanveel N-5, CIDCO,
Aurangabad.

6. Rashtriya Secondary and Higher Secondary
School, Jaitapur, Taluka : Kannad,
District : Aurangabad,
Through its Head Master. .. Respondents.

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Mr. Ramesh I. Wakade, Advocate, for the petitioner.

*Mr. S.K. Kadam, Assistant Government Pleader, for
respondent nos.1 to 3.*

Mr. V.S. Salgare, Advocate, for respondent nos.4 to 6.

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 12TH OCTOBER 2015

ORAL ORDER (Per S.S. Shinde, J.) :

1. Heard learned Counsel for respective parties.
2. This petition is filed with following prayer clauses :-

[B] By an appropriate order or directions, the respondent nos.3 to 6 may kindly be directed to prepare and maintain joint seniority list of employees working in the schools run by respondent Society as per Rule (12) r/w. guidelines laid down in Schedule (F) of M.E.P.S. (CS) Rules, 1981.

[C] By issuing appropriate writ in the nature of writ of mandamus or orders or directions or any other writ in like nature, directions may kindly be issued to respondent Nos. 3 to 6 to fill up the permanent vacancy of post of Head Master, in Rashtriya Secondary & Higher Secondary School, Jaitapur, Taluka Kannad, District Aurangabad, by promoting petitioner, in view of the MEPS (CS) Rules, 1981, from the date of vacancy of post of Head Master in School.

3. So far prayer clause "B" is concerned, already common seniority list has been prepared and the petitioner has no grievance about the said seniority list.

4. So far prayer clause "C" is concerned, the learned Counsel appearing for respondent nos.4 to 6 - Management, makes a statement that within three months from today, in accordance with the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 and Rules of 1981 framed thereunder, the management will take decision to appoint Head Master in the said School at Jaitapur (Taluka : Kannad, District : Aurangabad)

5. In the light of statement made by the learned Counsel appearing for respondent nos.4 to 6 - Management, we hope and expect that the decision will be taken within three months from today.

6. In the light of statement made by the learned Counsel appearing for respondent nos.4 to 6 - Management, the petition stands disposed of.

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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