

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

WRIT PETITION NO.5064 OF 2014

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
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Mr.S.M.Kulkarni, advocate for the Petitioner.
Mr.K.G.Patil, Addl.Govt. Pleader for the State.
Mr.L.V.Sangeet, advocate for Respondent No.4.

**CORAM : S.V.GANGAPURWALA &
V.L.ACHLIYA, JJ.**
Date : 11.03.2015.

PER COURT :

1. Heard.
2. Mr. Kulkarni, learned counsel states that the Respondent Nos.1 to 3 are not releasing the grants. The impugned order is erroneous, without taking into consideration the relevant aspects of the matter. The backlog of 27 vacancies have been filled in. Subsequently, some posts are increased and because of the increase in the posts, the vacancies of five backlog is created. Four posts of Headmasters are to be filled in. Even the same is also offered to the deserving candidates. It is for them to accept it.
3. Mr.Sangeet, learned counsel for Respondent submits that the post which is is being offered is in an unaided institution. The

same is also not in accordance with law.

4. Whether the backlog is filled or not is for the authorities to consider. A statement is made that the backlog of 27 vacancies has been filled in. The petitioner may satisfy the same to the authority.

5. In light of the above, the impugned order is quashed and set aside. The authority shall reconsider the case of the petitioner for grant in aid afresh. The petitioner may submit the relevant documents to substantiate its case. The petitioner shall represent itself before the Education Officer on 25.3.2015 and may place all the relevant documents. The Education Officer shall thereafter assess the case of the petitioner afresh on its own merits in accordance with law and take decision about the entitlement of the grant in aid of petitioner afresh expeditiously.

6. The Writ Petition is accordingly disposed of. No costs.

(V . L . ACHLIYA, J .)

(S . V . GANGAPURWALA, J .)

Dt..11.03.2015.
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