

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

WRIT PETITION NO. 5741 OF 2015

Jaidevi Gangadhar Swami .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Pratap G. Rodge, Advocate for the Petitioner.

Smt. S. A. Dhumal, A.G.P. for the Respondent No. 1.

Shri P. R. Tandale, Advocate for the Respondent No. 2.

Shri Satish S. Deshmukh, Advocate for the Respondent No. 3.

CORAM : S. V. GANGAPURWALA AND

V. K. JADHAV, JJ.

DATE : 07TH JULY, 2015.

PER COURT :

. Mr. Rodge, the learned counsel submits that, the Education Officer has granted approval to the service of the petitioner since the year 2011. However, has not passed any orders with regard to approval as an untrained teacher from June 1999 to September 2011. According to the learned counsel, this Court vide order dated 11.02.2014 in Writ Petition No. 6816 of 2013 had directed the Education Officer to take decision upon the same, if the proposal is forwarded by the management. The learned counsel submits that, management has forwarded proposal to that effect on 14.03.2014, however, no decision has been taken on it as yet.

2. Mr. Tandale, the learned counsel for the Education Officer states that, in case the said proposal has been received by the Education Officer and if it is pending, then Education Officer shall decide the same on its own merits.

3. On the last date we had asked the learned A. G. P. to take instructions from the Deputy Director of Education as to whether approval with regard to untrained teacher can be granted by the Education Officer or not. The learned A. G. P. states that, the Deputy Director of Education has communicated that the Education Officer is competent to take the said decision.

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

5. In case the head master of the respondent/School has forwarded proposal to the Education Officer (Primary) seeking approval to the appointment of the petitioner as an untrained teacher from June 1999 to September 2011 and if same is pending with the Education Officer, then the Education Officer (Primary) shall decide it on its own merits, in accordance with law and policy expeditiously and preferably within a period of four (4) months from today. The writ petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]