

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5812 OF 2014

**UDHAV KISAN VAIRAGAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...

**Advocate for Petitioner : Deshmukh Sachin S.
AGP for Respondents: Mr.K.G.Patil**

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

DATED : 23rd FEBRUARY, 2015

P.C. :-

Heard Mr.Deshmukh, learned counsel for the petitioner. The learned counsel states that the recognition of the school where petitioner was working has been cancelled. As per the order dated 17/1/2014, more particularly clause 4, it is directed that employees of such institution should be taken on the wait list of surplus candidates for absorbing them in other recognized institutions. Even Government Resolution dated 24/1/2014 mandates the same. Though one year has elapsed, respondents have not taken any steps to place the petitioner on the wait list, nor steps are taken for absorption of the petitioner.

2] Mr.Patil, learned Additional Government Pleader submits that the respondents should abide by Government Resolution in case of employees who were permanent.

3] It appears that the service of the petitioner has been approved

vide order dated 15/7/2004 as is evident from the provisional order dated 15/7/2004. Registration of the school where the petitioner is working has been cancelled on 17/1/2014. As per Clause 4 of the said Government Resolution, the employees who were approved are required to be taken up in the wait list and as per Government Resolution dated 24/1/2014, such employees are required to be absorbed in other recognized handicap schools. It is not disputed that the petitioner was working in handicap school. In view of the order dated 17/1/2014, and the Government Resolution dated 24/1/2014 and considering the fact that the appointment of petitioner is also approved, respondents shall take steps to place the petitioner on the wait list within three months from today and shall further take steps to absorb the petitioner in recognized institution.

4] Writ Petition is disposed of. No costs.

V.L.ACHLIYA, J.

S. V. GANGAPURWALA, J.

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