

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

WRIT PETITION NO. 6547 OF 2015

Sunil Vishwanath Mule

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri R. D. Biradar, Advocate for the Petitioner.

Shri G. K. Thigle, Addl.G.P. for Respondent Nos. 1 and 2.

Shri S. G. Rudrawar, Advocate for Respondent Nos. 6 to 9.

**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATE : 01ST JULY, 2015.

PER COURT :

. Mr. Rudrawar, the learned counsel appears for respondent Nos. 6 to 9.

2. The contention of Mr. Biradar, the learned counsel for the petitioner is that the appointment of respondent Nos. 6 to 9 are erroneous and not by following selection procedure. The petitioner is Joint Secretary of the institution. According to the learned counsel, illegalities have been committed, which have not been considered by the Education Officer while passing the orders of approval to the appointments of respondent Nos. 6 to 9. The learned counsel submits that, the petitioner is making

grievance before the authorities about the illegal appointments, but no cognizance has been taken.

3. Mr. Rudrawar, the learned counsel states that, the respondent Nos. 6 to 9 are permanent employees. The approval is granted in the year 2013 after considering all the aspects of the matter. They are appointed after due selection process. The petitioner himself claiming to be Joint Secretary of the institution. The respondent Nos. 6 to 9 are appointed as per the approval order in the year 2005/2008. It will be too late in the day to consider the objection of the petitioner. The approvals are granted by the Education Officer as per the proposal submitted and after considering all the relevant aspects of the matter. The Education Officer in the order of approval itself has stated that in case information is found to be false, then the approval will be cancelled. It is for the Education Officer to consider all the pros and cons of the proposal seeking approval to the appointment and if the Education Officer finds that approval was obtained by fraud, then the Education Officer has the power to consider all the said aspects of the matter.

4. In the light of the above, the writ petition stands disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

bsb/July 15