

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

WRIT PETITION NO. 6490 OF 2014

Jitendra Devidas Bedse .. Petitioner

Versus

The State of Maharashtra and Others .. Respondents

Shri Shrikant S. Patil, Advocate for Petitioner

Shri D. B. Bhange, A. G. P. for the Respondent Nos. 1 and 2

Shri Maheshkumar S. Sonwane, Advocate for Respondent No. 3

Shri R. M. Deshmukh, Advocate for the Respondent Nos. 5 and 6

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

DATE : 06TH JULY, 2015.

PER COURT :

1. Heard.

2. Respondent No. 4 though served, is absent.

3. The petitioner was declared surplus and was directed to be absorbed by the orders of the Education Officer with Respondent No. 6 school. It is stated that, the Respondent No. 6 did not allow the petitioner to join. Even Resolution is passed to that effect. We are not entering into the rival contentions as it is

a case of word against word.

4. The learned counsel for the Education Officer on instructions states that, today also there are 2 posts vacant with Respondent No. 6 school and petitioner can be accommodated in Respondent No. 6 school.

5. Considering the same Respondent No. 6 shall allow the petitioner to join at Respondent No. 6 school. The petitioner shall remain present before the Respondent No. 6 on 13th July, 2015. It is further made clear that, even if today the posts are available in Respondent No. 4 school then, the Education Officer shall pass appropriate orders of repatriation of the petitioner in accordance with provisions of Rule 26 of the MEPS, Rules. Writ Petition is accordingly disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

sam/July. 15