

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7394 OF 2013
WITH CA/9668/2015 IN WP/7394/2013

VANDANA PANDURANG SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioners : Mr. S.S. Thombre h/f Mr. R.N. Bharaswadkar
and Mr. M.S. Karad

AGP for Respondents 1 to 3: Mr. S.D. Kaldade
Advocate for Respondent No.4 : Mr. S.S. Tope
Advocate for applicant in C.A. No. 9668 of 2015 : Mr. A.A. Nimbalkar

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**CORAM : A. V. NIRGUDE AND
V. K. JADHAV, JJ.**

DATED : 19th AUGUST, 2015

P.C. :-

1. Heard learned counsel for the respective parties.
2. This petition does not deserve admission. The petitioner claims that she works as an in charge Head Mistress of Sarswati Shishu Vihar Primary School at Jalna. She said that she was appointed as full fledged Head Mistress and the proposal to that effect was sent for approval to the Education Officer (Primary), Zilla Parishad, Jalna. On 7.6.2013, the Education Officer sent the said proposal back mentioning that the proposal would not be considered for various reasons. This letter dated 7.6.2013 is the subject matter

of challenge in this writ petition.

3. We do not find any error on the part of the Education Officer in sending the proposal back. He has specifically mentioned that the petitioner was not appointed by the management of the school but is appointed by the school committee, which is established under Schedule A of Maharashtra Employees of Private Schools (Conditions of Service) Regulation Rules 1981. This committee does not have power to appoint the Head of the school. For other reasons also, the proposal was found to be defective, incomplete etc.

4. The learned counsel for the petitioner tried to suggest that the school committee had ample powers to send the proposal but having regard to the provisions of Schedule A, this argument is not at all convincing. The order does not suffer from any illegality. The petition accordingly stands dismissed. Interim relief stands vacated.

5. In view of dismissal of writ petition, nothing further survives for consideration in the pending civil application and the same stands disposed of accordingly.

(V. K. JADHAV, J.)

(A. V. NIRGUDE, J.)