

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

WRIT PETITION NO. 7551 OF 2015

Mahendra Chandrakant Adatrao .. Petitioner

Versus

The State of Maharashtra and Others .. Respondents

Shri Pratap V. Jadhavar, Advocate for the Petitioner.

Shri P. P. More, A. G. P. for the Respondent / State.

Shri A. B. Tele, Advocate for the Respondent No. 2.

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

DATE : 27TH JULY, 2015.

PER COURT :

1. Mr. Jadhavar, the learned counsel submits that, the petitioner has successfully completed the period as Shikshan Sevak and is continued in service. The Headmaster has also submitted proposal to the Education Officer for continuation of service. However, the said proposal is not yet considered. Even representation is given by the petitioner, however, the said representation is also not considered only on the ground that, validation proceedings are pending.

2. The learned counsel does not dispute that, the proposal is forwarded for validation of the claim of the petitioner as belonging to “Koli Mahadev” Sheduled Tribe.

3. The learned A. G. P. submits that, in case the said proposal is pending with the Education Officer then, the Education Officer would decide the same on its own merits.

4. In light of that, we pass the following order -

ORDER

I] The Education Officer shall decide the proposal (Exh.F), in case it is pending on its own merits in accordance with law and policy expeditiously, preferably within six (6) months and shall not reject it solely on the ground that, validation proceedings are pending.

II] In case the petitioner complies with all other legal requirements then, the Education Officer may grant provisional approval to the said proposal subject to the decision of the Committee in the validation proceedings.

III] The further course of action can be taken in tune with the judgment delivered by the Committee in the validation proceedings.

5. Writ petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]

sam/July. 15