

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

WRIT PETITION NO. 7500 OF 2013

Santosh Gopinath Ughade and Others .. Petitioners

Versus

The State of Maharashtra and Others .. Respondents

Shri S. R. Barlinge, Advocate for Petitioners.

Shri K. G. Patil, Addl. G. P. for Respondent Nos. 1 to 4.

Shri D. J. Choudhari, Advocate for the Respondent No. 6

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

DATE : 22ND JULY, 2015.

PER COURT :

1. The prayer with regard to disbursement of the salary now does not survive. The another contention of Mr. Barlinge the learned counsel is that, the petitioner are required to be absorbed as per the policy.

2. The said issue also now is not germane in view of the fact that the respondent / State has made a statement that, the petitioner are included in the list of surplus candidates who are

to be absorbed. The list is placed on record. The persons from Serial No. 1 to 16 are one's who have B. Ed. qualification and all those persons have been absorbed. According to the learned counsel for petitioners, the petitioners also possesses the qualification of B.A. B.Ed., as such they cannot be placed in the list below the one's who possesses the D. Ed. or A. T. D. qualification.

3. Naturally, the persons possessing A. T. D. or D. Ed. qualification can not be absorbed in the place meant for the candidates possessing B.Ed. qualification. As and when the vacancy arises for the post meant for the candidates possessing B.A. B.Ed. Qualification, petitioners shall be absorbed and persons shown in the list from serial No. 17 to 44 would not come in the way of petitioners. The writ petition is disposed of. No costs.

[V. K. JADHAV, J.]

[S. V. GANGAPURWALA, J.]