

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, BENCH AT AURANGABAD

**WRIT PETITION NO.8795 OF 2014.**

|                                                                                                            |                           |
|------------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders. | Court's or Judge's orders |
|------------------------------------------------------------------------------------------------------------|---------------------------|

Mr.V.D.Sapkal, advocate for the Petitioners.  
 Mr.V.A.Shinde, Asstt. Govt. Pleader for the State.  
 Mr.P.S.Patil, advocate for Respondent Nos.5 to 7.

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

**Date : 06.07.2015.**

**PER COURT :**

1. After hearing Mr.Sapkal, Mr.Patil, learned counsel for Respondent Nos.5,6 and 7 and learned Asstt. Govt. Pleader, the undisputed facts are as under :

The petitioners were appointed as Swyansevak. They have passed XII standard examination. The petitioners were working under the scheme namely "Sarva Shiksha Abhiyan" right since the year 2001. In or about 2007, all Vasti Shalas were transferred in "Sarva Shiksha Abhiyan". As per Government Resolution dated 5.2.2009 those who were working under the scheme "Sarva Shiksha Abhiyan" are to be appointed as para teachers. The petitioners were working in the Schools which were under the scheme of

'Special Action Plan'. Those schools were directed to be closed down from 31st October 2010. It is also admitted that petitioners were working upto 31.3.2010.

2. According to the petitioners, the Deputy Director Administration of Maharashtra Prathmik Sikshan Parishad has directed Education Officer (Primary), Zilla Parishad, Nandurbar to appoint such Swyansevak who were working in the closed Vasti Shalas as para teachers, more particularly, in conformity with the Government Resolution dated 31.7.2009 and 27<sup>th</sup> September 2011. The petitioners in a way are seeking implementation of the said directions.

3. Considering the aforesaid undisputed facts, there should not be any impediment for the Respondent-authorities to implement the said orders which are to be implemented in tune with the Government Resolution dated 31.7.2009 and 27<sup>th</sup> September 2011. Mr.Patil, learned counsel for the Education Officer states that at present posts are not vacant for Scheduled Tribe candidates and that directions of the Government are required. In fact, the directions are already issued by the Deputy Director Administration of the Maharashtra Prathmik Sikshan Parishad. The said directions are also to the effect that the appointment of such persons are to be made as para teachers in conformity and in tune with the Government Resolution as referred to in said Resolution (page

100). It is for the authorities to implement in its true letters and spirit.

4. Considering the above, we pass the following order :

a) The Respondents shall implement the directions dated 9.4.2013 (page 100) issued by the Additional Director Administration, Maharashtra Prathmik Sikshan Parishad in its true letters and spirit expeditiously, preferably within six (6) months.

b) The Writ Petition is disposed of. No costs.

**( V . K . JADHAV , J . )**

**( S . V . GANGAPURWALA , J . )**

Dt.06.07.2015.  
asp/office/wp8795.14

