

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8303 OF 2013

BHARTI UMESH BHANDARKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Deshmukh Ravindra M.
Adv.Mr.Navandar Manish N.for R-5,6
AGP for Respondents: Mr.G.K.Thigale
Adv.Mr.Arvind Deshmukh for R. 7 to 12.

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**CORAM : S. V. GANGAPURWALA &
V. L.ACHLIYA, JJ.**

DATED : 23rd FEBRUARY, 2015

P.C. :-

Mr.Deshmukh, learned counsel submits that the petitioner is appointed in the year 1990. Seniority since the date of appointment is to be considered. Petitioner has approached the Education Officer on 12/8/2013 (Exh.H collectively). However, the same is not considered by the Education Officer nor by the management.

2] Mr.Navandar, learned counsel for the management submits that if the petitioner has grievance, she has to approach under Rule 12 of the Maharashtra Employees of Private School (Conditions of Service) Rules, 1981 before the Education Officer.

3] Mr.A.S.Deshmukh, learned counsel for respondent nos.7 to 12 submits that the petitioner cannot be said to be senior to respondent nos.7 to 12 and the seniority list is properly maintained.

4] The learned AGP submits that the Education Officer would decide the representation in accordance with law.

5] If the petitioner has any objection to the seniority list as published by the management, the petitioner has got a remedy before Education Officer under Rule 12 of the M.E.P.S. Rules. The petitioner has already filed representation (Exh.H collectively) to the Education Officer. The Education Officer shall consider all the relevant aspects of the matter and decide said representation expeditiously preferably within six months. While deciding the said representation, the Education Officer shall hear all concerned before passing final order.

6] Writ Petition is accordingly disposed of with aforesaid observations. No costs. All contentions of parties are kept open.

V.L.ACHLIYA, J.

S. V. GANGAPURWALA, J.

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