

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

WRIT PETITION NO. 10868 OF 2014

WASHIQ AHMED JANIMIYA JAMADAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr.Gunale V.D.
AGP for Respondents/State: Mr.P.P. More.
Advocate for Respondents : Mr.Gundre Suraj V for R/3,
Mr.Rodge Suresh N. for R/2.

...

CORAM : S.S. SHINDE & P.R. BORA, JJ.

Dated: APRIL 01, 2015

...

Heard.

2 We have considered the submissions of the learned Counsel for the parties and also the judgment of this Court dated 16th July, 2012 delivered by the learned Single Judge in the case of ***Momin Education Society and anr. v/s Education Officer (Primary), Z.P., Nanded and others in Writ Petition No.116 of 2012*** and in particular, paragraphs 13 and 14 thereof. We have also considered the order dated 3rd December, 2014 passed by this Court in similar fact situation in the

case of ***Shaikh Gazala Mohammad vs The State of Maharashtra and others in Writ Petition No.1374 of 2014.***

3 Upon considering the issue raised in this petition, in the light of the material placed on record and, in particular, the aforementioned two judgments, in our opinion, ends of justice would meet if this petition is disposed of for the same reasons which are assigned by this Court in its order dated 3rd December, 2014 in Writ Petition No.1374 of 2014.

4 Accordingly, for the reasons assigned by this Court in its order dated 3rd December, 2014 in Writ Petition No.1374 of 2014 and I particular, paragraphs 6 and 7 thereof and also the observations of this Court in its judgment delivered in Writ Petition No.116 of 2012 dated 16th July, 2012 (cited supra), we pass the following order:

I) The impugned order / communication dated 25.9.2014 rejecting the proposal seeking approval to the appointment of the petitioner as “Shikshan Sevak” is quashed and set aside.

II) The Education Officer (Primary) shall consider the said proposal on its own merits,

expeditiously and preferably within a period of three months from today;

III) Writ petition accordingly disposed of.

No costs.

(P.R. BORA,, J)

(S.S. SHINDE, J)

kadam/