



**ORDER JUDGMENT (PER V.L.ACHLIYA, J.)**

. Rule.

2. Rule returnable forthwith.

3. By consent of parties the Petition is taken up for final disposal at the stage of admission.

4. In nutshell, it is the grievance of the Petitioner that in accordance with the provisions prescribed 27 of the Maharashtra Employees of Private School Rules, 1981, the Petitioner should not have been declared as surplus and transferred to other School vide order dated 20.06.2014. According to the Petitioner, the representations made by the Petitioner raising grievance as to legality of order passed were not considered. Therefore, the

Petitioner is constrained to file the present Petition.

5. Having regard to the fact that and the grievance made in the Petition which restricts to legality of the order dated 20.06.2014 passed by the Education officer and same has been passed without giving any opportunity of hearing to the Petitioner and the representations made in that behalf are not considered, we are inclined to dispose of this Petition with direction to the Education officer to decide the representations made by the Petitioner. Accordingly, we pass the following order.

O R D E R

(i) Petitioner to make an additional representation supported by documents to Education officer, within one week from the date of passing of this order.

(ii) On receipt of such representation, the Respondent No.2 is directed to decide the same along with earlier representations as expeditiously as possible preferably within three weeks from the date of receipt of such representation and pass a reasoned order.

(iii) Petitioner is permitted to appear and make oral submission in support of the representation before Education officer.

(iv) It is clarified that we have not made any observation as to the merits of the matter and the Respondent No.2 is directed to decide the representation on its own merits.

(v) With this order and direction, the Writ Petition be marked as disposed of with no order as to costs.

(vi) Petitioner is granted liberty to challenge the order before appropriate authority if any order passed adverse to interest of Petitioner.

(vii) Rule made absolute.

**(V.L.ACHLIYA, J.)**

**(ANOOP V. MOHTA, J.)**