

FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 2588 OF 2015

Gramin Vikas Sanstha, Temburkheda, Warud, Dist.Amravati, thr.its Secretary and another
-vs-

The State of Maha., thr.its Secretary, Education Deptt. and others

WRIT PETITION NO. 3414 OF 2015

Salim Ahmed s/o Mobin Ahmed

-vs-

Education Officer (Secondary), Zilla Parishad, Amravati and another

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

Court's or Judge's Orders.

Mr.VA.Kothale, counsel for the petitioner in W.P No.2588/2015 and for
respondent No.2 in W. P No.3414/2015.

Mr.A.M.Sudame, counsel for the petitioner in W.P No.3414/2015 and for
respondent No.4 in W.PNo.2588/2015.

Ms T.H.Udeshi, AGP for the respondents-State.

CORAM : SMT. VASANTI A. NAIK &
PRASANNA. B. VARALE, JJ.

DATE : 21.12.2015.

Since the issue involved in these writ petitions is interconnected, they are heard together and are decided by this common order.

The petitioner in Writ Petition No.2588 of 2015 is the Education Society and the petitioner in Writ Petition No.3414 of 2015 is a surplus teacher, who is directed by the Education Authority to join the school, run by the petitioner-Education Society in Writ Petition No.2588 of 2015. By filing Writ Petition No.2588 of 2015, the Education Society seeks permission of the Education Authority to fill one post of Shikshan Sevak i.e. B.A., B.Ed. (English). On the other hand, the petitioner in Writ Petition No.3414 of 2015 seeks a direction to the Education Society in Writ Petition No.2588 of 2015 to permit the petitioner to join the duties as an Assistant Teacher in Vikas Urdu High School in Shendurjana Ghat.

The learned counsel for the petitioner-employee states that though the petitioner-employee was teaching the subjects of mathematics and science in the earlier school where he was declared surplus, the petitioner-employee possesses a degree of B.A. (Additional) in English subject and the petitioner-employee is, therefore, eligible to be appointed as an Assistant Teacher to teach the subject of English. It is stated that the petitioner could be absorbed in Vikas Urdu High School, Shendurjana Ghat either to teach the subject of mathematics or science or to teach the subject of English.

Shri Kothale, the learned counsel for the petitioner-Education Society, submits that there is a workload of only 16 periods for teaching the subject of English and there is certain workload for the Arts subjects, which the petitioner-employee would not be able to teach. It is, however, stated that the Education Society would absorb the petitioner-employee for teaching the English Subject, if he really possesses B.A. (Additional) qualification in English.

In view of the statements recorded herein above, we dispose of the writ petition with a direction to the Education Society to absorb the petitioner in Writ Petition No.3414 of 2015 in the school run by the petitioner-Education Society within a period of one week. If any vacancy is still available with the Management, the Management is free to take appropriate steps.

Order accordingly. No costs.

JUDGE

JUDGE