

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

Writ Petition No. 5539 of 2015

(Shri Rajkumar Pandurang Meshram and anr. Vs. State of Mah. through
Secretary, Education and Sports Dept. and ors.)

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's order
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None for the petitioner
Ms. T. H. Udeshi, AGP for the respondent nos. 1 to 3 & 5

**CORAM : Smt. Vasanti A. Naik and
Prasanna B. Varale, JJ.**

DATE : 8-12-2015.

Heard.

It is the case of the petitioners that they were declared surplus and the petitioner no. 1 has not been absorbed in any school and when the petitioner no. 2 went to join Navbharat Vidyalaya, Mul where he was asked to join, the Head Master of the said school did not permit the petitioner no. 2 to join.

The petitioners have, therefore, sought a direction to the respondents to decide the representation of the petitioners and/or absorb them in service.

Ms. Udeshi, the learned Assistant Government Pleader appearing for the Deputy Director of Education states that the petitioners have not filed any representation seeking their absorption. It is stated that since there was no representation from the petitioners, the education authorities may not have verified the position and considered the

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absorption of the petitioners.

In the circumstances of the case, though we have converted the application of the petitioners as the writ petition, we direct the respondents – education authorities to consider whether the petitioners are really declared as surplus or not and if they are declared as surplus, to consider absorbing them in some other school, in accordance with law.

We dispose of the writ petition with aforesaid directions with no order as to costs.

JUDGE

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