

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1295/2015

Ku. Seema Tarannum Abdul Hamid

...Versus...

State of Maharashtra Through its Secretary, Department of Rural Development
and Water Conservation, Mantralaya, Mumbai – 32 and others

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

Court's or Judge's orders

Shri R.D. Karode, Advocate for petitioner
Shri N.R. Rode, AGP for respondent nos.1 to 3, 8 & 10
Shri A.P. Kalmegh, Advocate for respondent no.6

CORAM : SMT. VASANTI A. NAIK AND
A.I.S. CHEEMA, JJ.

DATE : 02.09.2015

By this petition, the petitioner seeks a direction to the Chief Executive Officer, Zilla Parishad, Amravati to immediately relieve the petitioner so that the petitioner's services could be absorbed in the Corporation School by implementing the order of the Divisional Commissioner, Amravati Division, Amravati dated 21.7.2014.

According to the petitioner, who is an undergraduate teacher, she should have been absorbed in the School run by the respondent – Corporation, in view of the order of the Divisional Commissioner, Amravati Division, Amravati.

It is brought to the notice of this Court by the learned Counsel for respondents that when the order was passed by the

Divisional Commissioner, there may be a post of undergraduate teacher vacant in the Corporation School, but for the academic year 2014-15, 35 undergraduate teachers are excess in Urdu Medium School of the Corporation, in which the petitioner is seeking absorption.

It is stated on behalf of the respondents that in view of the depleted strength of the students, the undergraduate teachers in the Corporation School are excess and it would therefore not be possible for the respondents to absorb the petitioner, who is an undergraduate teacher, in the School of the Corporation.

Since 35 undergraduate teachers are excess in the Urdu Medium School of the Corporation where the petitioner is seeking absorption, the relief sought by the petitioner cannot be granted.

The writ petition is dismissed with no order as to costs.

JUDGE

JUDGE

Wadkar