

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

WRIT PETITION NO. 6660 OF 2015

Mohammad Aarif S/o Noor Ilahi

-vs-

Director of Education (Secondary), Pune and others

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

Court's or Judge's Orders.

Mr. P. D. Meghe, counsel for the petitioner.
Mrs. M.H.Deshmukh, AGP for the respondent Nos.1 to 3.

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

DATE : 10.12.2015.

By this petition, the petitioner seeks a direction to the respondent No.1 to take a decision on the proposal submitted by the respondent Nos.2 and 3 and absorb the petitioner in Majidia Girls High School and Junior College, Mominpura, Nagpur as a part time librarian.

The petitioner claims that he was appointed as a part time librarian in the respondent No.4-School on 01/02/1999. The petitioner has been declared surplus in the respondent No.4-School in July, 2015. According to the petitioner, since there is a post of part time librarian vacant in Majidia Girls High School and Junior College, Mominpura, Nagpur and since the respondent Nos.2 and 3 have recommended the case of the petitioner for absorption in the said post, a direction may be issued to the Director of Education, Pune to permit the absorption of the petitioner in the said school.

The relief sought by the petitioner for permitting the absorption of the petitioner in Majidia Girls High School and Junior College cannot be favourably considered, as the petitioner does not have a right to seek his absorption in a particular school. However, since the petitioner has been declared

surplus since July, 2015, the respondent Nos.1 to 3 should consider absorbing the petitioner in a school, in accordance with the provisions of Rule 26 of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981, if the petitioner is so entitled to be absorbed.

Hence, we dispose of the writ petition with a direction to the respondent Nos.1 to 3 to absorb the petitioner in some other school as a part time librarian, if the petitioner is so entitled to be absorbed under Rule 26 of the Maharashtra Employees of Private Schools (Conditions of Service) Rules. No order as to costs.

JUDGE

JUDGE

KHUNTE