

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3799 OF 2016
DANISH ALAM SHAIKH GULAM HUSAIN
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. Biradar R.D.
AGP for Respondent/State : Mr. B.V. Virdhe

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CORAM : S.S. SHINDE & SANGITRAO S. PATIL, JJ.

Dated: April 04, 2016

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PER COURT :-

Heard.

2. The petitioner has filed this Writ Petition under Article 226 of the Constitution of India, seeking directions to the Respondent - Education Officer not to accord the approval to the appointment to six candidates in view of the Government Resolution dated 2nd May, 2012. Admittedly, the petitioner has filed appeal before the School Tribunal, which is pending for consideration. It is the case of the petitioner that, the petitioner was appointed in the year 2009 as Assistant Teacher and illegally his services have been terminated in the year 2012. If the petitioner has any grievance, restricting to his interest, the

petitioner could have sought directions from the School Tribunal for keeping one post vacant. However, by way of filing this Writ Petition, the petitioner is seeking directions to the Respondent - Education officer, not to accord approval to six teachers, who are not before us.

3. In our opinion, such Petition cannot be considered when the petitioner himself is interested and his appeal is pending before the School Tribunal. However, we hope and trust that, while according sanction to the services of six teachers, who have been appointed by the respondents, concerned Education Officer by keeping in view the relevant rules and regulations shall take appropriate decision. We make it clear that, we have not expressed any opinion on this aspect.

4. With the above observations, we do not see any reason to entertain the Petition. Hence the Petition stands rejected.

(SANGITRAO S. PATIL, J.) (S.S. SHINDE, J.)