

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

Public Interest Litigation No. 48 of 2016

District : Nanded

The Maharashtra Rajya Prathamik Shikshak
Samiti, Through its Secretary,
Udya Ramchandra Shinde,
Age : 51 years,
Occupation : Service,
R/o. Indavali, Post : Karandi,
Taluka : Jawali, District : Satara. .. Petitioner.

versus

1. The State of Maharashtra,
Through its Principal Secretary,
Village Development & Water
Conservation Department,
Mantralaya, Mumbai - 32.
2. The Education Officer,
Zilla Parishad, Nanded,
District : Nanded. .. Respondents.

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Mr. G.J. Karne, Advocate, for the petitioner (Absent).

*Mr. A.B. Girase, Government Pleader, for
respondent no.1.*

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

DATE : 12TH APRIL 2016

COURT'S ORDER (Per S.S. Shinde, J.):

1. When the petition was called out in the

morning session, none appeared for the petitioner. Even in the afternoon session, none appears for the petitioner.

2. Perused the petition & annexures thereto. Heard the learned Government Pleader appearing for respondent no.1 - State.

3. By way of filing this petition in the nature of public interest litigation, direction is sought to the Principal Secretary to the Government of Maharashtra, Rural Development & Water Conservation Department, Mumbai, to ensure that the Circular dated 26th July 2010, issued by the Rural Development & Water Conservation Department, is implemented and acted upon in its letter and spirit and that no order contrary to the mandate of the said Circular is passed by any functionary subordinate to the Government.

4. It is needless to mention that the Officers / Authorities working under the Government of Maharashtra are bound to follow the policies laid down in the Circular unless the said Circular is superseded by subsequent Circular / Government Resolution or by framing Rules. In that view of the matter, as long as the Circular dated 26th July 2010 referred herein above is in force, the respondents will implement the provisions of the said Circular

unless the same is superseded by subsequent Circular / Government Resolution / Rules.

5. With the above observations, the Petition (PIL) stands disposed of.

(SANGITRAO S. PATIL)
JUDGE

(S.S. SHINDE)
JUDGE

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