

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4046 OF 2015

RAMESH S/O BASWANTRAO MANKARI

PETITIONER

VERSUS

THE STATE OF MAHARASHTRA
AND OTHERS

RESPONDENTS

Mr.A.N.Nagargoje, Advocate for the petitioner.

Mr.U.H.Bhogle, AGP for respondent No.1.

Mr.M.P.Tripathi h/f Mr.N.S.Kadam, Advocate for respondent Nos. 2
and 3.

(CORAM : S.S. SHINDE AND
RAVINDRA V. GHUGE, JJ.)

DATE : 20/01/2016

PER COURT :

1. Heard the learned counsel appearing for the petitioner and
learned AGP appearing for respondent No.1.

2. Respondent No.3/Education Officer (Primary), Zilla Parishad,
Nanded has already placed on record a modified order wherein the
present petitioner is directed to be absorbed in Shri Chhatrapati
Shivaji (Agro) Junior Basic School, Sagroli, Tal.Biloli, Dist.Nanded.
Undisputedly, the said school wherein the petitioner is directed to be
absorbed, is a Grant-in-Aid school.

3. The submission of the learned counsel appearing for the petitioner is that the respondent/Zilla Parishad has absorbed 55 similarly situated teachers in the Zilla Parishad Schools, however, the petitioner is not absorbed in the Zilla Parishad employment.

4. In our opinion, the surplus teachers have no right to assert that he wishes a post at a particular place. As already observed and undisputedly, the said school i.e. Shri Chhatrapati Shivaji (Agro) Junior Basic School, Sagroli, Tal.Biloli, Dist.Nanded is a Grant-in-Aid school.

5. In that view of the matter, we are not inclined to entertain this petition. Same is rejected. However, rejection of this petition cannot be construed as an impediment to pursue the respondents by the petitioner so as to absorb him in future in Zilla Parishad Primary School.

(RAVINDRA V. GHUGE, J.)

(S.S. SHINDE, J.)