

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5009 OF 2016

Artee d/o Sudarshan Adhav,
Age: 46 years, occu: service,
R/o C/o Anil Shankarrao Shelke
17, Giriraj Vihar, Maldad Road (East)
Sangamner 422 605, Dist. Ahmednagar

Petitioner

Versus

- 1 The State of Maharashtra,
through the Principal Secretary to
School Education Department,
Mantralaya, Mumbai 32
- 2 Education Officer (Secondary)
Zilla Parishad, Ahmednagar
- 3 Sahyadri Bahujan Vidya Prasarak Samaj,
A/P. Tq. Sangamner,
Dist. Ahmednagar, through Its Secretary

Respondents

Mr.S.T. Shelke advocate for the petitioner
Mr.S.S.Dande, Assistant Govt. Pleader for Respondent No.1 & 2
Mr.Shaikh W. Ahmed advocate for respondent No.3

CORAM : R.M. BORDE &
V.K. JADHAV, JJ

(Date : 4th October, 2016.)

ORAL JUDGMENT

(Per: R.M. Borde, J)

1 Heard.

2 Rule. With the consent of the parties, petition is taken up for final decision at admission stage.

3 The petitioner is objecting to the order passed by the Education Officer – Secondary on 5.4.2016, rejecting the proposal of the Management for according approval to the appointment of the petitioner as an Assistant Teacher.

4 The proposal tendered by the Management has been turned down on account of failure to tender certain information / documents. An affidavit in reply has been presented on behalf of the Management; wherein it has been stated that, necessary compliance would be made within two weeks. In this view of the matter, the Education Officer needs to be directed to reconsider the proposal of the Management for granting approval to the appointment of the petitioner, on compliance of necessary deficiencies, as pointed out by the Education Officer in the impugned order.

5 The Education Officer is, thus, directed to reconsider the proposal of the Management for granting approval to the

appointment of the petitioner as Assistant Teacher, subject to compliance of deficiencies by the management, as expeditiously as possible and preferably within a period of three months from today. The order passed by the Education Officer – secondary rejecting the proposal of the Management dated 5.4.2015 shall not be an impediment for reconsideration of the said proposal and the Education Officer – secondary is expected to take decision *denovo* in accordance with the Rules & Regulations within the time stipulated above.

6 Rule is accordingly made absolute.

7 There shall be no order as to costs.

(V.K. JADHAV, J)

(R.M.BORDE, J)