

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 6047 OF 2016
(Ansari Tayyba Khatoon Abdul Samad Vs. The State of
Maharashtra and others)

Mr. Parag V. Barde, Advocate for the Petitioner
Mr. V.H. Dighe, A.G.P. for respondent Nos. 1 and 2
Mr. D.R. Jethliya, Advocate for respondent Nos. 3 and 4

CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.
DATE : 9th AUGUST, 2016

PER COURT :

Heard the learned counsel for the petitioner,
the learned A.G.P. for respondent Nos. 1 and 3 and the
learned counsel for respondent Nos. 3 and 4.

2. We have perused the contents of the letter dated 9th December, 2015, impugned in this petition. It appears that respondent No. 2 – the Education Officer did not grant approval to the appointment of the teachers and non-teaching staff. The learned counsel for the petitioner submits that from the academic year 2011-2012, there was no camp organised by the respondents and secondly, the appointment letter dated 27th July, 2011 itself would show that the appointment is by the School Committee.

3. In the light of the submissions advanced by the learned counsel for the petitioner, upon perusal of the copy of the appointment letter, it is abundantly clear that the same is issued by the Secretary, School Committee. In that view of the matter, the impugned letter dated 9th December, 2015, issued by the Education Officer (Secondary), Zilla Parishad, Dhule is quashed and set aside. We direct the Education Officer (Secondary), Zilla Parishad, Dhule to re-consider the issue of grant of approval to the appointment of the petitioner on its own merit, without raising the grounds which are raised in the impugned letter, as expeditiously as possible; however within a period of six weeks from today and communicate the decision so taken to the respondent/Management.

4. The writ petition is allowed in the above terms and stands disposed of.

5. The parties to act on authenticated copy of this order.

[SANGITRAO S. PATIL]
JUDGE

[S.S. SHINDE]
JUDGE