

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

901 WRIT PETITION NO. 6521 OF 2007

SECRETARY MAHATMA JYOTIBA PHULE SAMAJ SUDHARAK MANDAL
AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND ORS

...

Advocate for Petitioners : Mr. A.H.Sabnis h/for Mr. V.
G. Sakolkar

AGP for Respondent No.1 State: Mrs. M. A. Deshpande

Advocate for Respondent No.2 : Mr. A.V. Hon

Advocate for respondent No.3: Mr. Pratap Rodge

CORAM : S. V. GANGAPURWALA &

K. L. WADANE, JJ.

DATE : 2nd September, 2016

ORDER:

1. Mr. Sabnis, the learned counsel submits that the petitioner had assailed the order passed by the Education Officer rejecting proposal seeking approval to the appointment of respondent No.3. The learned counsel submits that the petitioner accepts the legal position as propounded in the judgment of the Division Bench of this Court in case of **Dharpale Vogita Jagannath & ors. Vs. The State of Maharashtra and others**, reported in **2012(2) Mh.L.J. 823**. The learned counsel further submits that the challenge made by the petitioner, as such, in view of the said judgment, would not survive.

2. In view of the said submissions, the writ petition is disposed of.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA, J.)