

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

38 WRIT PETITION NO. 9527 OF 2016

MANDHAV SHIVAJIRAO PANPATTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. S. B. Talekar i/by
Talekar And Associates
AGP for Respondents State: Mrs. S. S. Raut
Advocate for Respondent No.5 : Mr. S. R. Choukidar

**CORAM : S. V. GANGAPURWALA &
K. L. WADANE, JJ.**

DATE : 25th October, 2016

ORDER:

1. Mr. Talekar, the learned counsel for the petitioner submits that the petitioner is appointed as Shikshan Sevak on 07.02.2013 for a period of three years. Proposal was submitted to the respondent No.4 Education Officer (Primary) seeking approval to the appointment of the petitioner as Shikshan Sevak. The Education Officer (Primary) has granted approval to the appointment of the petitioner as Shikshan Sevak.

2. The learned counsel submits that thereafter, the respondent Management has passed a resolution, confirming services of the petitioner as Assistant

Teacher on completion of three years as Shikshan Sevak. Proposal is submitted to the Education Officer for approval as Assistant Teacher but the same is not yet decided, though is pending for more than six months. The learned counsel submits that when the petitioner is a deemed permanent employee, there would be no impediment to grant sanction to the said proposal.

3. Mr. Chaukidar, the learned counsel appears for respondent No.5 and submits that the Management has passed a resolution confirming services of the petitioner as Assistant Teacher. Proposal is also submitted pursuant to it to the Education Officer.

4. In view of the fact that, the proposal is still pending consideration with the Education Officer, we need not dwell into the merits of the matter. The Education Officer shall decide the proposal submitted by respondent no.5 to him (Exhibit E) on its own merits and in accordance with law, expeditiously, preferably within a period of four months.

5. Till the proposal is decided by the Education

Officer, the interim orders passed by this Court on 8th September, 2016 in terms of prayer clause (D) shall operate.

6. Writ petition is accordingly disposed of. No costs.

(K. L. WADANE, J.)

(S. V. GANGAPURWALA,
J.)

JPC