

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2064 OF 2015

Mrs.Ashwani Maruti Patil

...

...Petitioner

v/s.

The State of Maharashtra & ors.

...Respondents

...

Mr.U.R.Mankapure for the Petitioner.

Mr.P.G.Sawant, AGP for Respondents Nos.1 & 2.

...

**CORAM : NARESH H. PATIL &
A.A.SAYED, JJ.**

DATED : 25 JANUARY 2016

P.C.:

The Petitioner was appointed on 31 December 2012 as Asst.Teacher. It is stated that he joined the post on 1 January 2013. Thereafter, a proposal was forwarded to Respondent No.2-Education Officer (Secondary) Zilla Parishad, Solapur by Respondent No.3 (Exh.B) for getting approval to transfer of the Petitioner from unaided division to aided school. By communication dated 24 February 2014, the Education Officer, Secondary, Zilla Parishad, Solapur accepted the proposal forwarded by Respondent No.3 on a condition that the Petitioner's services would be approved with effect from 15 June 2013 as Shikshan Sevak.

2. Learned Counsel appearing for the Petitioner submits that the Petitioner seeks approval from the date of joining of his service i.e. 1 January 2013 instead of 15 June 2013. It is submitted that in case the Education Officer approves the proposal from 1 January 2013, the Petitioner would get

seniority benefit in service. Counsel for the Petitioner placed reliance on two orders of this Court, which are annexed to the Petition.

3. In the facts & circumstances of the case, we observe that the Petitioner may make comprehensive representation to the Education Officer, Secondary, Zilla Parishad, Solapur within three weeks from today. In case such representation is made, the Education Officer, Secondary shall decide the same within two months thereafter after going through the entire record and orders passed by this Court in other cases. The Education Officer would be entitled to hear the concerned party in person.

4. It is clarified that we have not expressed any opinion on the merits of the claim of the Petitioner.

5. The Petition is disposed of.

(A.A. SAYED, J.)

(NARESH H. PATIL J.)