

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
Writ Petition No. 397 of 2016
[Pramod Ajabrao Gudadhe Vs. Education Officer [Secondary],
ZP, Wardha & another]

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

None for the petitioner.
Shri N.R. Patil, Asstt. Govt. Pleader for respondent no.1.

**CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.**

DATE : 27th April, 2016

None appeared on behalf of the petitioner in the morning session. None appears for the petitioner in the afternoon session also.

We have perused the Writ Petition and heard the learned Assistant Govt. Pleader Shri Neeraj Patil for respondent no.1.

By this petition, the petitioner seeks a direction to the respondent no.2 - Management to forward the proposal of the petitioner for appointment on the post of Headmaster as and when the post of Headmaster becomes vacant in any of the schools run by the respondent no.2 - Management. A further direction is sought by the petitioner against the respondent no.1 - Education Officer to grant approval to the appointment

of the petitioner as a Headmaster after his proposal is sent by the Management.

By filing this Writ Petition, the petitioner has abused the process of the Court. The petition is premature. The petitioner has sought a direction to the Management to forward the proposal of the petitioner for appointment on the post of Headmaster as and when the post of Headmaster becomes vacant in any of the schools run by the respondent no.2-Society. Such a prayer cannot be made. If a post of Headmaster falls vacant in a school, the Management would take appropriate steps for filling up the vacancy in the post of the Headmaster, and if the petitioner or any person, who claims appointment on the said post, is superseded, the said person-employee can avail an appropriate remedy.

In the instant case, the petitioner has sought the aforesaid directions on the contingency of a vacancy being caused in the post of Headmaster in one of the schools run by the respondent no.2-Management. The relief sought by the petitioner cannot be granted in the circumstances of the case. Hence, we dismiss the Writ Petition with cost of Rs. 2,000/- [rupees two thousand only].

Judge

Judge

