

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.1294/2016

Ashok son of Shri Raibhan Chimankar

...Versus...

Education Officer (Secondary), Zilla Parishad, Civil Lines, Nagpur and others

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

Court's or Judge's orders

Shri A. Shelat, Advocate for petitioner
Shri Sanjeev Deshpande, Addl. G.P. for respondent nos.1 to 3

**CORAM : SMT. VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.**

DATE : 06.12.2016

By this petition, the petitioner seeks a direction to the respondents to absorb the petitioner in any grant-in-aid recognized school on the post of peon or any other equivalent post.

According to the petitioner, the school, in which the petitioner was working as a peon, was voluntarily closed in the year 1999 and though the petitioner was absorbed in some other school in the year 2009, the Management of that school did not permit the petitioner to join.

Shri Deshpande, the learned Additional Government Pleader appearing for the Education Authorities states that the respondents cannot absorb the petitioner in a grant-in-aid school immediately, but the respondents would absorb the petitioner in a

grant-in-aid school, as per his turn in the list of employees that was maintained by the Education Officer under Rule 25 A of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981. It is stated that since the petitioner claims that the school was voluntarily closed by the Management, the petitioner would only be entitled to the benefits of the provisions of Rule 25 A of the Rules of 1981.

Since the school, in which the petitioner was working as a peon, was voluntarily closed, we direct the Education Officer to recommend the name of the petitioner for his absorption in any grant-in-aid school, as per his turn in the list maintained by the Education Officer, under Rule 25 A of the Rules of 1981.

The writ petition stands disposed of. Order accordingly. No costs.

JUDGE

JUDGE

Wadkar