

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

WRIT PETITION NO.1383 OF 2015

Lok Shikshan Sanstha, Amravati, Thr. its Secretary and ors.

-vs-

State of Maharashtra, Thr. its Secretary, Dept. of Education, Mumbai and ors.

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

Court's or Judge's Orders.

Shri P. N. Shende, counsel for the petitioner.
Ms Tajwar Khan, AGP for respondents.

**CORAM : SMT. VASANTI A. NAIK &
A.S.CHANDURKAR, JJ.**

DATE : 04.02.2016

By this petition, the petitioner seeks a direction to the State of Maharashtra to forthwith sanction four additional posts of Assistant Teachers and one post of part time Librarian in the petitioner Nos.2 and 3 Schools from the academic session 2013-14.

It is stated that as per the staff justification for the year 2013-14, four posts of Assistant Teachers and one post of part time Librarian could be sanctioned in the petitioner Nos.2 and 3 Schools. It is stated that in view of the said position, it would be necessary to issue a direction to the respondent No.1 to sanction the posts.

An affidavit in reply has been filed on behalf of the respondent No.4. It is stated therein that the petitioner is seeking the sanction for the aforesaid posts on the basis of the staff justification of the year 2013-14. It is stated that due to the stay to the Government Resolution dated 20/11/2011, staff justification for the years 2014-15 and

2015-16 was not done and since this Court has, by the judgment dated 31/12/2014 in W.P. No.9026 of 2014, upheld the validity of the Government Resolution, the staff justification for the year 2013-14 remains undisturbed and it would be necessary to complete the staff justification for the year 2014-15 and 2015-16. It is stated on behalf of the respondents that some time would be required to complete the staff justification for the two aforesaid years and an appropriate decision on the proposal of the petitioner for sanctioning the posts of Assistant Teachers and part time Librarian would be taken.

In the circumstances of the case, a direction cannot be issued to the State Government to sanction four posts of Assistant Teachers and one post of part time Librarian immediately on the basis of the staff justification for the year 2013-14. By accepting the statement made on behalf of the respondents that the exercise of completing the staff justification for the years 2014-15 and 2015-16 would be done within a period of three months, we dispose of the writ petition with a direction to the respondents to consider sanctioning the posts in the petitioner Nos.2 and 3 Schools as per the staff justification of the year 2015-16. This exercise should be completed within a period of three months. Order accordingly. No costs.

JUDGE

JUDGE