

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

**CIVIL APPLICATION NO. 533 OF 2017
IN
WRIT PETITION NO. 434 OF 2015**

Sopan Pradiprao Badgire and another .. Applicants

Versus

The State of Maharashtra and others .. Respondents

Shri V. S. Kodale, Advocate h/f Shri V. D. Gunale, Advocate for the Applicant.

Ms. Vaishali N. Patil (Jadhav), A.G.P. for Respondent Nos. 1 to 3.
Shri U. B. Bondar, Advocate for the Respondent No. 4.

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

DATE : 27TH JANUARY, 2017.

PER COURT :

. Issue notice to respondents. The learned A. G. P. and Mr. Bondar waive notice for respective respondents.

2. The order passed by the Education Officer reducing two posts is sought to be assailed by way of amendment to the petition. The petition is filed on the count that the proposal for approval is not decided.

3. Mr. Bondar, the learned counsel for the non applicant No. 4

opposes the application on the ground that the applicants would not be entitled to assail said order and it is only the management that can be said to be aggrieved party.

4. All these objections can be raised by the non applicants while controverting averments sought to be introduced by way of amendment. The writ petition is not yet admitted and objections to be raised by the non applicants would be open for the non applicants to raise it at the time of hearing of the writ petition.

5. In the light of the above, the civil application is allowed in terms of prayer clause “B” and as prayed including Schedule A and B. The civil application is disposed of.

6. Necessary amendment to be carried out within a period of fourteen (14) days from today.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]