

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

WRIT PETITION NO. 867 OF 2017

1. Vijay Vitthal Dhumal and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri S. T. Shelke, Advocate for Petitioners.

Shri Y. G. Gujrathi, A.G.P. for Respondent Nos. 1 and 2.

Shri Shriniwas S. Wagh, Advocate for the Respondent No. 3.

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

DATE : 15TH FEBRUARY, 2017.

PER COURT :

. Heard Mr. Shelke, the learned counsel for petitioners and the learned Assistant Government Pleader for respondent Nos. 1 and 2.

2. The question is about the grant of approval to the appointments of the petitioners as junior clerks and lab assistant. The Education Officer in its communication to the Government dated 15.03.2016 had observed that the approval can be granted, however, has further stated that, as there is stay to the staffing pattern for the year 2013-2014 and the orders are passed to keep the position as it is, as such no further steps have

been taken.

3. The petitioners are appointed in the year 2009. The Education Officer will have to consider the position as it stood in the year 2009. In view of that, the government resolution of 2013 would not come in the way.

4. The Education Officer shall decide about the grant of approval considering the position as on the date of appointment of petitioners and shall not refrain to pass the order only on the ground of G. R. of 2013. The same shall be done expeditiously and preferably within a period of one (01) month from today. The writ petition is disposed of.

[K. L. WADANE, J.]

[S. V. GANGAPURWALA, J.]