

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

WRIT PETITION NO. 1326 OF 2016

Anandrao Gangadharrao Patil

Petitioner...

Versus

The State of Maharashtra & Ors.

Respondents...

.....
Mr B. V. Thombre, Advocate for the petitioner
Mrs P. V. Diggikar, AGP for respondent/State
Mr N. S. Kadam, Advocate for respondent No. 4 & 5
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**CORAM : R. M. BORDE &
A. M. DHAVAL, JJ.**
DATE : 19TH JULY, 2017.

ORDER:-

1. The petitioner is praying for issuance of directions to respondents to grant deem date of promotion in the cadre of Headmaster since the year 2000/2002. Grievance of the petitioner is that, the respondent - Zilla Parishad has not maintained the record in respect of the handicapped employees and has not awarded promotions in accordance with the Persons with Disabilities Act. The petitioner falls within the category of Education Extension Officers and seeks promotion to the post of Headmaster.

2. It is pointed out that, the sanctioned posts of Education Extension Officer Grade-III are 11 and in accordance with the policy laid down under the Government Resolutions dt. 05.03.2002 & 04.08.2011, only one post is admissible for the handicapped category. It is further recorded in the affidavit-in-reply presented on

behalf of the Zilla Parishad that, one Smt. N. N. Premalwad being the senior most employee from amongst the handicapped category, has been awarded promotion to the post of Education Extension Officer Grade-III by an order dt. 05.09.2014, and at present there is no vacancy from amongst disabled employees' category. The date of appointment of the petitioner is 03.01.1993 whereas; the candidate who has been promoted was appointed on 26.12.1983 and is admittedly senior to the petitioner. It is further recorded in the affidavit-in-reply that, as and when post for the aforesaid category becomes available, the claim of the petitioner would be considered in accordance with his seniority and in consonance with the relevant rules.

3. In view of the affidavit-in-reply tendered on behalf of the Zilla Parishad, there does not appear to be any substance in the grievance raised by the petitioner in the instant petition. The petition being devoid of substance, stands dismissed.

[A. M. DHAVALE]
JUDGE

[R. M. BORDE]
JUDGE

sgp