

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

38 WRIT PETITION NO. 1402 OF 2016

MOHD ABDUL BASIT MOH ABDUL HAMEED
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Awasarmol Rahul O.
AGP for Respondents/State : Mrs. R.P. Gour
Advocate for Respondents : Mr. H.I. Pathan for R/5.
...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 20.09.2017**

P.C. :-

. Mr. Awasarmol, the learned counsel submits that the petitioner was working as an Incharge Headmaster since 01.02.2013. He was entitled to be appointed as a Headmaster, the Management was also ready to submit the proposal but Education Officer was not accepting it.

2. The affidavit is filed by respondent no.5 to the effect that petitioner was legally entitled to be appointed as a regular Headmaster and the respondents also does not dispute the said fact, however, the respondent no.4 did not accept the same.

3. It appears that now the petitioner has retired on attaining the age of superannuation.

4. The respondent no.5 may submit the proposal as stated in their affidavit. If the said proposal is submitted, then, the Education Officer shall take decision upon it on its own merits, in accordance with law, expeditiously and preferably within four months from the date of receipt of the proposal. Writ petition accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]

[S.V. GANGAPURWALA, J.]