

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

930 WRIT PETITION NO. 2207 OF 2016

ATTRINANDEN NIVRATIRAO SHINDE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. R.K. Ashtekar
AGP for Respondents 1 to 3 : Mr. A.R. Kale
Advocate for Respondent 4 : Mr. A.M. Gaikwad

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**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.**

DATED : March 9, 2017.

ORDER :

The petition is filed for giving direction to the employer of the petitioner viz. respondent Nos. 3 and 4 to forward the proposal for filling the post of Head Master in the school where the petitioner is working. The petitioner is claiming the post of Head Master. Both the sides are heard.

2. The submissions made and particularly the affidavit filed by the Education Officer show that for the academic year 2015-16 as per the staffing pattern, the post of Head Master is not available. The learned counsel for petitioner submits that the staffing pattern on which the institution is relying

is for private secondary school and not for primary school. He has one more grievance that the post had become available in the year 2012-13, but in that year, the proposal was not forwarded and due to that, the petitioner could not get the post of Head Master.

3. In view of the grievance of the aforesaid nature, this Court holds that the proposal needs to be forwarded by the school/institution to the Education Officer, who in turn needs to give decision on it for addressing the grievance of the petitioner. The school/institution is to forward the proposal to the Education Officer within one month from today and the Education Officer is expected to take decision on the proposal within two months thereafter. The school/institution is expected to follow the procedure and to see that the proposal is made as per the seniority. The petition is disposed of.

[SANGITRAO S. PATIL, J.] [T.V. NALAWADE, J.]