

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2924 OF 2017

The Rahuri Education Society, **Petitioner**
Rahuri, Taluka Rahuri, Dist.
Ahmednagar, through its Secretary

V E R S U S

The State of Maharashtra & Anr. **Respondents**

Mr. V.S. Bedre, Advocate for the petitioner
Smt. M.A. Deshpande, A.G.P. for the respondents/State

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

DATE : 6th MARCH, 2017

PER COURT :

1. Mr. Bedre, learned counsel submits that the petitioner had appointed one Mr. Kasbe as a Headmaster by obtaining permission. The petitioner subsequently has taken action against Mr. Kasbe and has terminated him from service. Thereafter, Mr. Kasbe filed appeal before the School Tribunal, the same is pending. However, no prohibitory orders are passed in the said appeal. Learned counsel further submits that

subsequently the petitioner has appointed one Mr. Kharade as a Headmaster. The proposal seeking approval to appointment of Mr. Kharade, as Headmaster, is rejected. Learned counsel further submits that the respondents could have considered the appointment of Mr. Kharade, as a Headmaster provisionally.

2. As far as deficiencies in Clauses 1, 2 and 3 of the order are concerned, it is for the petitioner to comply with said deficiencies. Considering the above facts, we proceed to pass following order :-

O R D E R

(A) The impugned order is quashed and set aside.

(B) The petitioner shall comply the deficiencies as pointed out in Clauses 1, 2 and 3 of the impugned order.

(C) Upon compliance being made by the petitioner with regard to the deficiencies as pointed out in the

impugned order, the Educational Officer shall consider the proposal seeking approval to the appointment of Mr. Kharade, as a Headmaster provisionally subject to the decision in Appeal filed by Mr. Kasbe. The same be decided by the Education Officer within a period of four weeks from the date of compliance of deficiencies by the petitioner.

(D) In view of above, Writ Petition is disposed of. No costs.

(K.L. WADANE, J.)

(S.V. GANGAPURWALA, J.)