

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 3368 OF 2017**

Matoshri Anusaya Madhyamik and
Ucchya Madhamik Vidhyalaya ... Petitioner

VS.

State of Maharashtra and Ors. ...Respondents

Mr. Awale Girish L. for the Petitioner.

Mr. V.S. Badakh, AGP for the Respondent nos. 1 and 2 State.

**CORAM : SHANTANU KEMKAR &
N.W. SAMBRE, JJ.
AUGUST 09, 2017**

P.C.:

It is not in dispute that during the pendency of the petition, the order impugned in this petition has been withdrawn by respondent no.2 Education Officer (Secondary). In the circumstances, in our considered view, nothing survives in this petition. However, it has been pointed out by the learned counsel for the petitioner that earlier also when the charge was given to respondent no.3 and on the basis of the affidavit submitted by the Education Officer that the order will be withdrawn, the petition was disposed of. He apprehends that immediately after the disposal of this petition, again the second respondent will appoint respondent no.3 as Incharge Headmaster. It has been

stated by the learned counsel for respondent no.3 that the Management is not appointing permanent Headmaster and as a result all these difficulties are coming and respondent no.3 being the senior most, was given charge.

2. Be that as it may, we record the statement made by the learned counsel for the petitioner that the petitioner shall appoint permanent headmaster as expeditiously as possible but not later than two months from the date of receipt of copy of this order.

3. With the aforesaid directions, Writ Petition is disposed of. Needless to say that while making the appointment, relevant rules are required to be observed by the petitioner.

(N.W. SAMBRE, J.)

(SHANTANU S. KEMKAR, J.)