

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.5811 OF 2016

Kalpana Ramchandra Patil

Petitioner

Versus

The State of Maharashtra & others

Respondents

WITH

WRIT PETITION NO.2902 OF 2016

Jekamsing Amarsing Padwi and others

Petitioners

versus

The State of Maharashtra and others

Respondents

Mr.V.D. Sapkal advocate for the petitioners

Mrs.A.V.Gondhalekar, AGP for Respondents No.1, 2 and 4

Mr. R.N. Jain advocate for respondent Nos.3, 5 and 6

CORAM : R.M. BORDE &

P.R. BORA, JJ

(Date : 15TH March, 2017.)

PER COURT :-

1 It is not in dispute that, the facts giving rise to the instant petitions are identical to the facts arising in Writ Petition No.8795 of 2014. While disposing of the aforesaid Writ Petition No.8795 of 2014, the division bench of this Court observed in paragraph Nos. 3 and 4 as noted below:-

"3. Considering the aforesaid undisputed facts, there should not be any impediment for the respondent-authorities to implement the said orders which are to be implemented in tune with the Government Resolution dated 31.7.2009 and 27th September, 2011. Mr. Patil, learned counsel for the Education Officer states that at present posts are not vacant for Scheduled Tribe candidates and that directions of the Government are required. In fact, the directions are already issued by the Deputy Director Administration of the Maharashtra Prathmik Shikshan Parishad. The said directions are also to the effect that the appointment of such persons are to be made as para teachers in conformity and in tune with the Government Resolution as referred to in said Resolution (page 100). It is for the authorities to implement in its true letters and spirit.

4 Considering the above, we pass the following order:

a) The Respondents shall implement the directions dated 9.4.2013 (page 100) issued by the Additional director Administration, Maharashtra Prathmik Sikshan Parishad in its true letters and spirit expeditiously, preferably within six (6) months.

b) The writ petition is disposed of. No costs. ""

2 In this view of the matter, the writ petitions stand disposed of with a direction to respondents to implement the instructions dated 9.4.2013 issued by the Additional Director, Administration

Maharashtra Prathmik Shikshan Parishad in its letter and spirit as expeditiously as possible and preferably within a period of six months from today.

3 No costs.

(P.R. BORA, J.)

(R. M. BORDE, J.)