

FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

WRIT PETITION NO. 4721 OF 2017

MADARSE MILLIYAH EDUCATION SOCIETY THROUGH ITS
SECRETARY FARHAT SULTANA

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr.Mantri Ramesh R.

AGP for Respondent/State: Smt.R.P. Gaur.

Advocate for Respondents : Mr.Smt.Kshirsagar
Yogita M. for R/4.

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CORAM : S.V.GANGAPURWALA & V.L. ACHLIYA, JJ.

Dated: DECEMBER, 18, 2017

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PER COURT:

Mr.Mantri, learned Advocate for petitioner submits that the petitioner is a minority institution running the primary school. Initially, the school was having 1st to 4th standards and by natural growth, it was up to 7th standard. The school had 13 divisions in all duly sanctioned by the Government. Due to reduction of strength of students, 7 divisions were cancelled. The teachers on the said 7 divisions were either absorbed or retired. Subsequently, in the year 2010-11 the school was shifted

with permission of the Government to another area. The petitioner thereafter moved the Government to restart the closed divisions when the petitioner was given permission to start 8 divisions on no grant basis. The learned Advocate submits that the Education Officer though granted approval to 8 divisions on no grant basis, the teachers, who are appointed on original posts, were not granted sanction on the ground that the order of the Government to restart the divisions did not contain such directions. According to the learned Advocate, the representations have been given by the petitioner. Even, the Education Officer has communicated to the Deputy Director of Education about the eligibility of the petitioner for the retention of the original posts. Still, the Government is not taking any decision and again the Government has directed that the Divisional Deputy Director of Education to send the information. The information was already sent by the authorities concerned twice.

2. We heard learned AGP for respondents – State.

3. It is for almost two years the said

proposal seems to be pending. It is for the Government to take decision upon it. The Government shall take decision with regard to the sanction of the original posts and the proposal which is pending with it, on its own merits expeditiously, preferably by the end of March, 2018. Writ Petition stands disposed of accordingly. No costs.

(V.L.ACHLIYA, J) (S.V.GANGAPURWALA, J)