

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 4747 OF 2017

Shaikh Mahenaz Abdus Salam .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Abasaheb D. Shinde, Advocate for the Petitioner.
Ms. Rashmi P. Gaur, A.G.P. for Respondent Nos. 1 and 2.
Shri N. D. Sonwane, Advocate for Respondent Nos. 3 and 4.

**CORAM : S. V. GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 04TH MAY, 2017.

PER COURT :

. Mr. Shinde, the learned counsel for the petitioner submits that, this Court in its order dated 05th December, 2016 in Writ Petition No. 12243 of 2015 with Writ Petition No. 5890 of 2016 had observed about availability of 4.5 posts for assistant teachers for the year 2013-2014. It is submitted that, two additional posts are sanctioned by the Education Officer for the subsequent year also. Though 4.5 posts were available, the Education Officer is treating the same as 4 posts only. According to the learned counsel, even endorsement put by the Education Officer is erroneous.

2. We have heard the learned Assistant Government Pleader also.

3. The approval has been granted to the petitioner since the date of his appointment i. e. 01st March, 2013. The remark given may not be relevant. 4.5 posts were admissible and subsequently two additional posts are sanctioned.

4. In view of the above, approval granted to the petitioner is legal and valid. The writ petition is disposed of. No costs.

[SANGITRAO S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb/May 17