

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

943 WRIT PETITION NO. 5203 OF 2017

PRAMODINI BALIRAM PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Bayas Anandsingh
AGP for Respondents/State : Mr. P.S. Patil
Advocate for Respondents : Mr. M.N. Navandar for R/4.
...

**CORAM : S.V. GANGAPURWALA &
MANGESH S. PATIL, JJ.
DATE : 12.09.2017**

P.C. :-

1. Mr. Bayas, the learned counsel submits that the petitioner is working as a Headmistress. The proposal is not approved by the Education Officer on the ground that validation proceedings is pending and now the employer is taking steps to revert the petitioner, subject to decision of the Committee the Education officer be directed to grant approval to the petitioner as Headmistress. Mr. Patil, the learned A.G.P. submits that the vigilance has been conducted, even reply has been filed by the petitioner and now only hearing stage has remained.

2. Considering the above, we pass the following order:

ORDER

- i) The petitioner shall appear before the committee on 20.09.2017 and be ready to argue the matter before the committee.
- ii) The committee shall decide the validation proceedings in respect of the tribe claim of the petitioner expeditiously and preferably within one month from the date of appearance of the petitioner before it.
- iii) Till the validation proceedings are decided the employer shall not take adverse action against the petitioner only on the ground that validation proceedings are pending.
- iv) The employer and the Education Officer can take further course of action in tune with the judgment that would be delivered by the committee in the validation proceedings.
- v) In case the tribe claim of the petitioner is validated, then, the Education Officer shall consider grant of approval to the petitioner as Headmistress and all benefits from the date of her legitimate appointment.
- vi) Writ petition accordingly disposed of. No costs.

[MANGESH S. PATIL, J.]**[S.V. GANGAPURWALA, J.]**