

**IN THE HIGH COURT AT BOMBAY  
APPELLATE SIDE, BENCH AT AURANGABAD**

WRIT PETITION NO. 700 OF 2006

Rajendra s/o. Suryabhan Lavande  
Age 35 years, Occu. Service,  
R/o. Nivara, Kojagiri Colony,  
Kopargaon, Taluka Kopargaon,  
District : Ahmednagar.

**....Petitioner.**

**Versus**

1. The State of Maharashtra  
through its Secretary,  
Education, Employment & Youth  
Service Department, Mantralaya,  
Mumbai-32.

2. The Director of Education,  
Maharashtra State, Pune.

**....Respondents.**

Mr. A.N. Kakade, Advocate for petitioner.

Mr. A.S. Shinde, A.G.P. for respondent Nos. 1 and 2.

**CORAM : T.V. NALAWADE AND  
SANGITRAO S. PATIL, JJ.**

**DATED : June 09, 2017.**

**ORAL JUDGMENT : [PER T.V. NALAWADE, J.]**

. Heard both the sides. The learned counsel for petitioner submitted that the point involved is no more res-integra. He has produced copy of the decision given by this Court in **Writ Petition No. 177 of 2011 decided with other connected matters on 28.4.2011 at Principal Seat [Sachin Shankar Divkar Vs. State of Maharashtra and Ors.]**. The learned A.G.P. is heard on this

point. The learned A.G.P. admits that the point involved is already decided at the Principal Seat. Copies of the decisions in subsequently decided matters on the basis of aforesaid Writ Petition No. 177/2011 are also produced on the record.

2. In view of this circumstance, the present petition is allowed and the relief is granted in terms of prayer clause 'C'.

Rule is made absolute in aforesaid terms.

**[SANGITRAO S. PATIL, J.]**

**[T.V. NALAWADE, J.]**

ssc/