

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

BENCH AT AURANGABAD.

WRIT PETITION NO.11565 OF 2016

Santosh Baburao Biradar ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
Mr.Sanjay Kolhare, advocate for the Petitioner.
Mr.S.W.Munde, A.G.P. for the State.
Mr.K.T.Shirurkar, advocate for Respondent Nos.3
and 4.

...

**CORAM : S.V.GANGAPURWALA AND
SMT.VIBHA KANKANWADI, JJ.**

Date : 30.10.2017.

PER COURT :

1. We have heard learned counsel for the petitioner, learned counsel for the Respondents and the learned A.G.P.

2. There are rival claims with regard to the approval being granted to the petitioner.

According to the petitioner, his appointment has been approved by the Education Officer on 4.5.2012. According to the learned counsel for Respondent No.2, the order of approval is erroneous. The said proposal is never submitted at the camp which was held in the year 2012 and the outward number mentioned on the alleged approval order does not tally.

3. In Writ jurisdiction under Article 226 of the Constitution of India, we may not enter into the factual debate.

4. The proposal it appears is submitted by the institution to the Education Officer. The Education Officer shall consider the said proposal on its own merits and take decision upon it expeditiously, preferably within four (4) months. In case the proposal submitted by the institution is not traced out by the Education Officer then the institution may submit the copy of the said proposal to the Education Officer.

5. With these observations, the Writ

Petition stands disposed of. No costs.

(SMT.VIBHA KANKANWADI, J.) (S.V.GANGAPURWALA, J.)

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