

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

WRIT PETITION NO. 11957 OF 2016

Riyaz Ahmedkhan Mustafakhan .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vivek V. Bhavthankar, Advocate for the Petitioner.
Shri C. S. Kulkarni, A.G.P. for Respondent Nos. 1 and 2.
Shri H. I. Pathan, Advocate for Respondent Nos. 3 and 4.

**CORAM : S. V. GANGAPURWALA AND
S. M. GAVHANE, JJ.**

DATE : 29TH NOVEMBER, 2017.

FINAL ORDER :

. Mr. Bhavthankar, the learned advocate for the petitioner submits that, the petitioner is working as an Assistant Teacher with respondent Nos. 3 and 4. He is teaching in the secondary school, but the approval is granted as a primary teacher. The learned advocate submits that, the Head Master has submitted the proposal for arrears of salary on 23.09.2016 to the Education Officer, but the Education Officer has not taken decision on it as yet. Representations are also given from time to time. The proposal for approval as Assistant Teacher in the secondary school was also submitted. The same is also not decided.

2. Mr. Pathan, the learned advocate for the institution supports the contention of the petitioner.

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

4. In case the proposal seeking approval to the appointment of the petitioner as teacher in the secondary school, so also proposal for arrears of salary is pending with the Education Officer, then the Education Officer shall decide the same on its own merits, in accordance with law, expeditiously and preferably within a period of six (06) month from today. The petitioner and the institution may represent themselves before the Education Officer along with necessary documents. They may appear before the Education Officer on 14th December, 2017. The writ petition accordingly is disposed of. No costs.

[S. M. GAVHANE, J.]

[S. V. GANGAPURWALA, J.]