

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

WRIT PETITION NO.316 OF 2017

Smt.Shradha D/o Ashokrao
Suryawanshi. ... Petitioner.

Versus

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

...

Mr.Amol Chalak, advocate holding for
Mr.S.B.Talekar, advocate for petitioner.
Mr.P.N.Kutti, A.G.P. for the State.
Mr.V.B.Jadhav, advocate for Respondent Nos.6 and
7. ...

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

Date : 17.04.2017.

PER COURT :

1. Heard.

2. The petitioner claims to have been appointed on 26.9.2011. One of the ground for rejection of the proposal seeking approval to the appointment of the petitioner is that as per staff approval for the year 2015-16, one Assistant Teacher is surplus. The petitioner

having been appointed on 26.9.2011, the staffing pattern for the years 2011-12 will have to be considered. However, the order states that for the years 2013-14 the post of Assistant Teacher was not vacant.

3. The only reason given for rejection of the proposal seeking approval is that the post is not vacant for the years 2013-14, however, nothing has been stated with regard to staff approval of the year 2011-12.

4. Considering above, the impugned orders are quashed and set aside. The Assistant Commissioner, Social Welfare, Osmanabad, shall consider the proposal seeking approval to the appointment of the petitioner considering the staffing pattern of the year in which the petitioner is appointed, so also shall consider all other relevant aspects and decide the same afresh expeditiously, preferably within four (4) months.

5. The Writ Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V.GANGAPURWALA, J.)

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