

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

**Writ Petition No. 12578 of 2016**

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| District : Parbhani |
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Mahendra s/o. Chimaji Yengade,  
Age : 29 years,  
Occupation : Service,  
R/o. House No.587,  
Ajintha Nagar, Parbhani,  
Taluka & District Parbhani .. Petitioner.

**versus**

1. The State of Maharashtra,  
Through the Secretary,  
Education Department,  
Mantralaya, Mumbai - 32.
2. The Education Officer (Primary),  
Zilla Parishad, Parbhani,  
Taluka & District Parbhani. .. Respondents.

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*Mr. T.M. Venjane, Advocate, for the petitioner.*

*Mr. V.M. Kagne, Asst. Government Pleader, for  
respondent no.01.*

*Mr. G.V. Mohekar, Advocate, for respondent no.02.*

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**CORAM : V.M. KANADE &  
SANGITRAO S. PATIL, JJ.**

**DATE : 16TH JANUARY 2017**

**ORAL ORDER :**

Heard.

02. It is the case of the petitioner that upon an advertisement issued by the school and after following the procedure established by law, he was appointed as Shikshan Sevak in clear vacancy by order dated 31.07.2015 and pursuant to the said appointment order, he joined the service on 01.08.2015. Since then the petitioner is working on the said post. Grievance of the petitioner is that though a proposal was made by Headmaster of the School to respondent no.02 - Education Officer (Primary) on 05.11.2015 for approval to the appointment of the petitioner, same has not yet been considered and decided by respondent no.02.

03. Respondent no.02 - Education Officer (Primary) is directed to consider and decide proposal forwarded by Headmaster of the school for approval to the appointment of the petitioner as Shikshan Sevak, within a period of six weeks, on its own merits and in accordance with law. Till that time, petitioner's services shall not be terminated.

04. With the above directions, the Writ Petition is disposed of.

( Sangitrao S. Patil )  
JUDGE

( V.M. Kanade )  
JUDGE

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