

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10925 OF 2016

Ravindra Shivaji Khot

.... Petitioner

VS

State of Maharashtra & ors.

.... Respondents

Mr. Manoj Harit i/by Manoj Harit & Co. for the petitioner.

Mrs. R.M. Shinde, AGP for respondents 1 & 2.

**CORAM: ANOOP V. MOHTA AND
SMT. BHARATI H. DANGRE, JJ.**

DATE : September 04, 2017

FINAL ORDER:

1 Rule. Rule is made returnable forthwith. Heard finally by consent of parties.

2 The Petitioner has been appointed as full time permanent teacher on 31.05.2015 in open category as the candidates of SC/ST were not available.

3 The Petitioner accordingly executed the indemnity bond ensuing the fact that backlog of SC/ST category, if available will be

recruited/absorbed at other branch of Respondent No.3-School. This, in our view, is sufficient to protect interest of SC/ST candidate, if any. The Petitioner's appointment, therefore, cannot be faulted with at this stage, if he is otherwise eligible for the post since he is full time permanent teacher. In view of this, we see there is no reason for the Respondents not to grant approval which is pending since 2015. That resulted into no regular salary since 2015.

4 In view of above position, Writ Petition is allowed in terms of prayers (b) and (c).

5 Rule made absolute accordingly.

6 No costs.

(BHARATI H. DANGRE, J.)

(ANOOP V. MOHTA, J.)