

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2907 OF 2016
IN
WRIT PETITION NO.6110 OF 2002

Kanta Namdeo Tale ...Applicant
vs.
The President,
Shikshan Prasarak Mandal, Mangalvedha
and Others ...Respondents

Mr. A.P. Vanarse, for the Applicant
Ms. Nisha Mehra, AGP for the Respondents-State.

CORAM : SHANTANU S. KEMKAR &
PRAKASH D. NAIK, JJ.

DATE : **JANUARY 20, 2017**

P.C.:

. The learned counsel for the Applicant/Petitioner has brought to our notice the averments made in para 2 of the affidavit in reply filed by Respondent No. 1 which reads thus:

2. "At the outset, I states that with reference to paragraph No. 1 and 2 of the Petition, I have to offers no comments with reference to paragraphs No. 3 to 10. Initially the Petitioner has been appointed on D.Ed. Scale in the year 1981, then the Petitioner has obtained further more qualification as such B.A., B.Ed. in the year 1992 and the Petitioner has been granted B.Ed. Scale from 9th June, 1997."

2. The learned counsel for the Petitioner submits that in view

of the aforesaid reply, it is clear that the Education officer has accorded the approval to the Petitioner in a trained graduate scale i.e. B.Ed., Scale of Rs. 5500-9000. The only grievance of the Petitioner is that Respondent No. 1 has not given effect to the said order issued by the Education Officer. In view of the aforesaid, he submits that this Petition may be disposed of by directing Respondent No. 1 to act upon the order dated 4th November, 1999 issued by the Education Officer as referred to in the reply filed by the State.

3. Keeping in view the aforesaid, we dispose of this Petition by directing Respondent No. 1 to implement the order dated 4th November, 1999 as expeditiously as possible but not later than four weeks from today.

4. In view of the aforesaid, the Civil Application is also is disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)