

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**APPELLATE SIDE CIVIL JURISDICTION****WRIT PETITION NO. 12775 OF 2016**

Shri. Namdev Shamrav Sable

... Petitioner

Versus

Shri Gurukul Shikshan Prasarak Mandal and others

... Respondents

Mr. Prashant Bhavake for the Petitioner.

Ms. Jyoti Jadhav, AGP for the Respondent Nos.3 and 4.

Mr. Anil Sabale, Education Inspector, West Zone, present in Court.

CORAM : S.J. KATHAWALLA, J.**DATED : 11th OCTOBER, 2017****P.C.:**

The above Writ Petition is filed by the Petitioner impugning the Judgment dated 6th August, 2016 passed by the Presiding Officer, School Tribunal, Mumbai, dismissing his Appeal on the ground that *“in the absence of appointment order it is difficult to come to the conclusion that, the appellant was appointed on clear, permanent and vacant post as a Shikshan Sevak”*. Subsequent thereto, the Education Inspector by his order dated 5th October, 2017 approved the appointment of the Petitioner, a copy of which is submitted in Court and is taken on record and marked 'X' for identification. In fact the Petitioner has already joined the Respondent No.2 School as an Assistant Teacher from 7th October, 2017. The Order passed by the Tribunal is therefore, set aside. However, he shall be granted continuity in service. The Respondent No.1 shall submit the payment bill to the Government seeking his back wages. The Government will consider the same on its own merits. The above Writ Petition is accordingly disposed off.

(S.J.KATHAWALLA, J.)