

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**WRIT PETITION NO.6104/2017**

**Daata Minority Educational & Welfare Organization Akola, through its Secretary**  
**and another**

**...Versus...**

**State of Maharashtra, Government of Maharashtra, School Education and Sports**  
**Department, through the Principal Secretary, Mantralaya, Mumbai – 400 032**  
**and others**

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

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Shri M.V. Samarth, Advocate for petitioners  
Shri S.M. Ghodeswar, AGP for respondent nos.1 to 3  
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**CORAM : B.P. DHARMADHIKARI AND**  
**ARUN D. UPADHYE, JJ.**

**DATE : 25.09.2017**

1. The impugned communication clearly shows that without getting post sanctioned recruitment has been made. Government Resolution dated 13/7/2016 produced before us as copy of Annexure-F and taken on record shows that unless and until posts are sanctioned recruitment against them cannot be made.

2. Material on record shows that petitioners on their own have proceeded further to effect recruitment.

3. In this situation, in the light of challenges and prayers as made, we find no case made out.

4. However, with liberty to petitioners to take suitable steps as are open in law, we dismiss the writ petition. No costs.

**JUDGE**

Wadkar

**JUDGE**