

IN THE COURT OF JUDICATURE AT BOMBAY**NAGPUR BENCH, NAGPUR****WRIT PETITION NO. 4624/2017****(Shri Keshao Dhanduji Thakre vs. Education Officer (Sec) Z.P Chandrapur and others)**

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

Court's or Judge's order

Mrs.Kirti Satpute, Adv. for petitioner
Mr.Maldhure, AGP for respondent no.1
Mrs.Deepali Zanzad, Adv.for respondents 2 and 3

CORAM : B.P. DHARMADHIKARI &**MRS.SWAPNA JOSHI, JJ.****DATED : 7th November, 2017.**

This is a second round of litigation. The selection grade released to petitioner from 9.6.2014 has been cancelled again by impugned order dated 18.4.2017/5.6.2017. This is a second round before the High Court. In earlier round, identical order was quashed and matter was sent back.

2. Reason for not approving the selection grade is qualification of M.A. in Sociology possessed by petitioner. The Education Officer has found that it is not equivalent to M.Ed.

3. After hearing respective counsel, we find that employer-Management is supporting the petitioner. Basic qualification of petitioner is B.Sc., B.Ed. Thereafter, he obtained additional B.A. (Sociology) and then also obtained post-graduate qualification i.e. MA (Sociology).

4. The qualifications for selection grade are prescribed in Government Resolution dated 2nd September 1989, as modified

by G.R. dated 1st December, 1999 and 15th July 2016. In fact, the later documents are corrigendum.

6. The last corrigendum dated 15th July 2016 substitutes the qualification prescribed in earlier G.R. dated 1st December, 1999.

7. For teachers like the petitioner teaching other subject, post-graduate qualification in subject taught by him was recognised as higher qualification by G.R. dated 1.12.1999. Modification of 15th July 2016 does not have any bearing in so far as this position is concerned.

8. The petitioner has obtained M.A. in Sociology. He is graduate also in that subject and he is actually teaching Sociology to the students.

9. We, therefore, do not find any substance in contention that his post-graduate qualification in Sociology cannot be treated as post-graduate qualification in subject to be taught by him.

10. We, therefore, quash and set aside the impugned order dated 18th April 2017/5th June 2017 and direct the respondents to release the selection grade to petitioner at the earliest and, in any case, within next three months.

11. Writ Petition is thus allowed and disposed of. No costs.

JUDGE

JUDGE