

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**BENCH AT AURANGABAD****WRIT PETITION NO. 3649 OF 2015**

Satish Shankarrao Patil,
 Age : 32 years, Occ. Service,
 R/o. At post Nimtake
 Tq. Umri, Dist. Nanded.

..PETITIONER

VERSUS

1. The State of Maharashtra
2. Zilla Parishad Nanded
3. Education Officer (Primary),
Zilla Parishad, Nanded
4. Block Education Officer,
Panchayat Samiti, Umri,
Tq. Umri Dist. Nanded
5. U. A. Komwad
Deputy Chief Executive Officer
Zilla Parishad Nanded.
6. Zilla Parishad Thane
Through its C.E.O.

..RESPONDENTS

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Advocate for Petitioner : Mr. Deshmukh Mahesh S.
 AGP for Respondents: Mr. M. M. Nerlikar
 Advocate for Respondent no.3 : Mr. R. K. Ingole

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**CORAM :T.V. NALAWADE AND
 SMT.VIBHA KANKANWADI,JJ.
 DATE : 27th NOVEMBER, 2018.**

FINAL ORDER :-

Heard both the sides.

2. The learned counsels produced on record the copy of order made by this Court in Writ Petition No. 3393 of 2015 (Vijaykumar Shivling

Gonge Vs. State of Maharashtra and others). It was submitted that in a similar circumstances this Court had given direction to the concerned to take decision when there is such disputes. In view of the submissions made, for the reasons already recorded and the direction given in paragraph Nos. 7 and 8, it was submitted that present petition needs to be decided accordingly.

3. In the previous matter, following kind of direction was given by this Court

Para 7 " Considering rival claims made by the Zilla Parishad, Nanded and the then In charge Chief Executive Officer, it would be appropriate to direct the Commissioner to consider the gamut of the dispute, genuineness of the documents and thereafter take decision with regard to the absorption of the petitioner in Zilla Parishad, Nanded on any vacant post.

8. " The petitioner may approach the Commissioner within a period of two weeks from today. The Commissioner upon receipt of the application/representation of the petitioner shall after hearing the respondents take decision upon the claim of the petitioner to be accommodated at Zilla Parishad, Nanded on its own merits, in accordance with law, expeditiously and preferably within a period of three (03) months from the date of submission of the representation. While deciding the claim of the petitioner, the Commissioner shall also consider claim of the petitioner for payment of salary on its own merits. The writ petition is disposed of. No costs."

4. In the aforesaid terms present petition is also allowed and

disposed of. No order as to costs.

[SMT.VIBHA KANKANWADI]
JUDGE

[T.V. NALAWADE]
JUDGE

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