

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 539 OF 2018

Vinod Kailas Mandekar and others .. **Petitioners**

Versus

The State of Maharashtra and others .. **Respondents**

Shri Shivaji T. Shelke, Advocate for the Petitioners.

Shri S. G. Karlekar, A.G.P. for Respondnt Nos. 1 to 3.

Shri A. S. Kulkarni h/f Shri Ankush N. Nagargoje, Advocate for
Respondent No. 4.

**CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

DATE : 18th June, 2018

PER COURT :

1. Learned counsel for the petitioners submits that the petitioners are appointed on unaided posts after following selection process. Even advertisement was issued. The unaided posts had become vacant. All the relevant documents were annexed with the proposal.

2. According to the learned Assistant Government Pleader

along with the proposal neither the copy of the advertisement was filed nor the approved roster was forwarded. Even the Circular dated 08.08.2017 was considered.

3. The petitioners are appointed on unaided posts. There were no question of absorbing surplus candidates on unaided posts. Of course the Education Officer will have to satisfy himself of the proper procedure being followed and the institution will have to submit the approved roster and the other documents such as advertisement and conduct of selection process.

4. Considering the above, we pass the following order -

ORDER

I] The institution shall submit all the relevant documents as are referred to in the impugned order.

II] Upon receipt of the relevant documents, the Education Officer shall reconsider the proposal seeking approval to the appointments of petitioners expeditiously and preferably within six (6) months.

III] While consider the said proposal afresh the impugned order would not be an impediment and the same shall be considered on its own merits.

5. Writ Petition accordingly stands disposed of. No costs.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

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