

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

936 WRIT PETITION NO. 1913 OF 2009

MANGALA ASHOK DUNAKHE
VERSUS
THE STATE OF MAH AND ORS

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Sr. Advocate for Petitioner : Mr. P.V. Mandlik
AGP for Respondents 1 & 2 : Mr. R.V. Dasalkar
Advocate for Respondent 4 : Mr. Manoj Shinde h/f. Mr. Mukesh
Goyanka
Advocate for Respondent 5 : Mr. A.G. Talhar
Advocate for Respondent 6 : Mr. A.G. Talhar

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**CORAM : T.V. NALAWADE AND
SUNIL K. KOTWAL, JJ.**

DATED : April 25, 2018.

PER COURT :

1. During arguments and in view of the fact that in the decision taken by the Deputy Director of Education, Nashik Division, there is no mention of Government Resolution of the State Government of the year 1992, the learned AGP made a statement for respondents that the authority will reconsider the representation of the petitioner.

2. There is copy of another representation dated 29.11.2017 which is addressed by the ex-employer of the petitioner to Education Officer. It appears that one more

representation is forwarded by the petitioner and in view of the statement made by the learned AGP, the previous representation and the present representation will be considered together, the previous representation which was forwarded as proposal dated 8.3.2007 and the present proposal dated 29.11.2017 are to be considered by the respondent authority within one month from today. Copy of circular dated 8.4.2008 is also produced to show that the policy mentioned in the Government Resolution of 1992 is reiterated in the circular and further clarified.

3. In view of the statement made by the learned AGP, the respondents are directed to reconsider the aforesaid two proposals afresh and take decision on it within one month from today. So, the order made by the authority on 26.3.2007 by which the representation of the petitioner was rejected stands set aside. The petition is disposed of in aforesaid terms.

Authenticated copy to both the sides is allowed.

[SUNIL K. KOTWAL, J.]

[T.V. NALAWADE, J.]

ssc/