

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

18 WRIT PETITION NO. 5960 OF 2017

DNYANOBA SAKHARAM TOPE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. R D Khadap
AGP for Respondents 1 to 4 : Mr. K.N.Lokhande

CORAM : S.V.GANGAPURWALA
AND
SUNIL K.KOTWAL, JJ.

DATE : JUNE 7, 2018

O R D E R :

The petitioner was appointed as a Peon on 13.8.1998 and since then he was continuously working with respondent no.5. The authorities de-recognized respondent no.5 School under order, dated 14.3.2013 on account of various deficiencies. The approval was also granted to the appointment of the petitioner on permanent basis.

2. On perusal of the order of de-recognition of respondent no.5 School, it is manifest that the petitioner is not responsible for de-recognition, nor is in any way concerned with the deficiencies as

referred to in the order of de-recognition. In the light of that, Rule 25-A of the M.E.P.S. Rules would be applicable and the petitioner would be entitled for absorption.

3. In view of above, we direct respondent authorities to consider the petitioner for absorption and placing him in the list of candidates to be absorbed.

4. Writ Petition is accordingly disposed of.
No costs.

[SUNIL K.KOTWAL, J.] [S.V.GANGAPURWALA, J.]

dbm