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

CONTEMPT PETITION NO.532 OF 2018 IN
WRIT PETITION NO.14901 OF 2017

Geetanjali d/o Pandurang Mule ... PETITIONER

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Shri R.I. Wakade, advocate for petitioner
Shri S.S. Dande, A.G.P. for State
Shri U.B. Bondar, Advocate for respondent No.4
.....

CORAM: PRASANNA B. VARALE AND
MANISH PITALE, JJ.

DATED : 5th SEPTEMBER, 2018.

ORAL ORDER :

1. Heard learned counsel for the petitioner. The grievance of the petitioner was of non-compliance of the order dated 19.1.2018. The Division Bench of this Court was pleased to direct the respondent Education Officer to decide the proposal seeking approval to the appointment of the petitioner afresh within stipulated period of four months. The Division Bench also directed the Education Officer that while deciding the proposal,

the rejection may not be on the very ground that there are surplus teachers available who are to be absorbed.

2. Mr. Bondar, the learned counsel appearing for the Education Officer (Primary), Zilla Parishad, Latur placed on record the copy of decision by the Education Officer. Mr. Bondar, on instructions, submitted that, there is some delay in the decision, but the delay caused due to certain aspects which were unforeseen such as transfer of the earlier Education Officer, for some time the charge was with some another officer and as soon as the regular Education Officer was available, he decided the application in view of the order of this Court. Perusal of the order dated 1.9.2018 shows that, the Education Officer (Primary), considering the record and considering the grounds raised by the petitioner as well as hearing the other side namely the Head Master and the Secretary of the Institute, passed the order. The order further shows that, it is not on the ground that there are other surplus teachers who are yet to be absorbed, but there are different grounds for rejection.

3. Considering the decision of the Education Officer and considering the explanation submitted by Mr. Bondar, we are of the opinion that the order of this Court is complied in letter and spirit. The petitioner, if is aggrieved by the said order, he is at

liberty to avail appropriate remedy by approaching the competent forum for redressal of his grievance including any judicial forum.

4. With these observations, the petition is disposed of.

(MANISH PITALE)
JUDGE

(PRASANNA B. VARALE)
JUDGE

fmp/-