

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

**WRIT PETITION NO. 8174 OF 2017**

Madan S/o Laxman Landge ... Petitioner

Versus

The State of Maharashtra and Ors. ... Respondents

Mr.L.S.Shaikh, Advocate h/f Mr.V.P.Golewar, Advocate for  
Petitioner

Mrs.V.N.Patil-Jadhav, A.G.P. for Respondent Nos.1 and 2

Mr.B.A.Shinde, Advocate for Respondent No.3

Mr.Y.R.Marlapalle, Advocate for Respondent No. 4

**CORAM : S.V.GANGAPURWALA AND  
A.M.DHAVAL, JJ.**

**DATE: MAY 03, 2018**

**PER COURT :**

1. The approval granted to the petitioner as Shikshan Sevak is cancelled and subsequently, the approval as an Assistant Teacher is cancelled under the impugned order.

2. We have heard the learned counsel for the respondents also.

3. One of the major reasons mentioned for cancelling the approval granted earlier is the Government Resolution dated 2<sup>nd</sup> May, 2012. The petitioner is appointed from Scheduled Tribes Category. The order of approval also shows that the petitioner's services are approved considering the petitioner

to be appointed from Scheduled Tribes Category. In catena of judgment, this court has held that the Government Resolution dated 2<sup>nd</sup> May, 2012 would not apply to the appointment made in reserved category.

4. Considering the above, the impugned order is quashed and set aside.

5. The writ petition is disposed of. No costs.

**(A.M. DHAVALA, J.)**

**(S.V. GANGAPURWALA, J.)**

mta