

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

BENCH AT AURANGABAD.

WRIT PETITION NO.9623 OF 2017

Dyansandeep Shikshan Sanstha,
Aurangabad through its
President. ... Petitioner.

Versus

The State of Maharashtra
and another. ... Respondents.

...

Mr.V.G.Salgare, advocate for the petitioner.
Mr.A.S.Shinde, A.G.P. for the State.

...

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

Date : 19.03.2018.

PER COURT :

1. The petitioner claims to be a minority institution. Certificate to that effect is annexed at Exh.A. The learned counsel for the petitioner submits that the petitioner had given application to the Education Officer (Primary).

The Education Officer, though served, none appears for him. According to the learned counsel for petitioner, the petitioner had given application to the Education Officer, seeking permission to fill in the post on 28.11.2016. No decision is taken on it. The learned counsel further submits that subsequently petitioner has advertised the post on 6.2.2018 and held interviews.

2. It was for the Education Officer to respond to the application given by the petitioner.

3. If the petitioner has already given application on 28.11.2016 and the Education Officer had not responded to it then while considering the proposal for approval, the Education Officer will not have right to reject it on the ground that prior permission was not obtained.

4. With this observation, the Writ

Petition is disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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