

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

BENCH AT AURANGABAD.

WRIT PETITION NO.10626 OF 2017

Smt.Sushma d/o Madhukar
Varpe. ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...

Mr.Shivaji T.Shelke, advocate for the petitioner.
Mrs.Vaishali Patil Jadhav, A.G.P. for the State.

...

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

Date : 16.04.2018.

PER COURT :

1. The proposal seeking approval to the appointment of the petitioner as Shikshan Sevak is rejected solely on the ground that there is a backlog of SC, ST, VJNT, NTB and SBC.

2. The Management has given an undertaking that in future it would fill in the post of reserved category as per roster.

3. We have heard learned counsel for the petitioner and learned A.G.P.

4. The only reason mentioned for rejection of the proposal seeking approval to the appointment of petitioner as Shikshan Sevak is the backlog of reserved post. The petitioner claims to have been appointed from OBC category. The undertaking is already given by the Management to fill in the backlog of reserved category. Of-course, the Education Officer will have to consider the availability of post from OBC category and other aspects of the matter.

5. Considering the above, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner afresh on its own merits in accordance with law and shall not reject it on the ground that backlog exist. The same shall be considered expeditiously, preferably within four (4) months.

6. The Writ Petition is disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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