

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

WRIT PETITION NO. 13420 OF 2017

**BABASAHEB BABANRAO BORUDE
VERSUS
THE UNION OF INDIA AND OTHERS**

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Advocate for the Petitioner : Shri P.P.Dawalkar h/f Ms.Nyayadhish Sayalee
V.

Advocate for Respondent 1 : Mrs. Ansingkar (Jape) Dipali S.

Addl.GP for Respondents 2 to 5 : Mrs.A.V.Gondhalekar.

Advocate for Respondents 6 and 7 : Shri Rahul A. Tambe.

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**CORAM: PRASANNA B. VARALE
AND
RAVINDRA V. GHUGE, JJ.**

DATE :- 12th September, 2018

Per Court :-

1 The Petitioner is before this Court with a limited grievance. His submission is that the Petitioner is one of those employees working in the special school/Respondent No.7 being run by Respondent No.6/ Institute and in view of the Government policies, Respondent No.6/ Institute submitted it's proposal for an unit catering academic needs of specially challenged children. It is submitted that there are as many as seven such students admitted in this school under the unit and Respondent No.6/ Institute started the unit in the year 2012 and more precisely from 01.08.2012.

2 It is further submitted that Respondent No.6/ Institute is having all infrastructural facilities available with it so as to cater the needs of the students along with teachers having requisite qualifications to teach specially challenged children. All necessary documents are submitted to the authorities along with the proposal to show the infrastructural facilities as well as the availability of teaching and non-teaching staff. It is submitted that the proposal is submitted in the year 2012 to the Education Officer (Secondary), Zilla Parishad, Ahmednagar and various representations are submitted by Respondent No.6/ Institute reminding the authorities for deciding the proposal as early as possible.

3 Our attention was invited to such representations forwarded to the authorities as well as to the representatives of people. The learned counsel for the Petitioner has specifically invited our attention to one of such representations submitted to the Secretary, School Education Department, State of Maharashtra dated 01.03.2016.

4 The learned counsel for the Petitioner then submits that as the proposal is pending, the teaching staff appointed by Respondent No.6 is deprived of the basic minimum needs like salary and other emoluments to which they are entitled to.

5 Considering the limited grievance voiced by the Petitioner and considering the material placed on record, we are of the opinion that this Writ Petition can be disposed of at the stage of admission by issuing

necessary directions to the Respondent Authorities.

6 Accordingly, we direct Respondent No.5/ Education Officer (Secondary), Zilla Parishad, Ahmednagar shall forward the proposal dated 01.09.2012 to the Director of Education, Pune within a period of FOUR WEEKS from today and thereafter, the said Director of Education shall take appropriate decision on the said proposal as expeditiously as possible and in any case, within SIX WEEKS from the date of receipt of the proposal from the Education Officer.

7 Needless to state, the Director of Education is at liberty to decide the proposal on its own merits and considering the prevailing policies of the Government in that respect.

8 This Writ Petition is, accordingly, disposed of with the above directions.