

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

14 WRIT PETITION NO. 10393 OF 2015

VISHNU UTTAMRAO SARKATE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. Gajanan K. Kshirsagar, Advocate for the
Petitioner.

Mr. A. V. Deshmukh, AGP for Respondents-State.

Mr. D. J. Choudhary, Advocate for Respondent No.6.

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**CORAM : S. V. GANGAPURWALA &
SUNIL K. KOTWAL, JJ.**

DATED : 10th JULY, 2018.

PER COURT:-

1. The petitioner is working in a school where the strength of students is less than 1000. According to the petitioner, the management runs other schools where the strength of students is more than 1000. The management has also forwarded proposal seeking up-gradation of the post, as full time librarian in the school where the strength of students is more than 1000. The proposal was forwarded to the Deputy Director of Education. The Deputy Director of Education in turn has recommended it to the Director of Education, however, the Director of Education has not considered the said proposal.

2. Mr. Deshmukh, learned AGP submits that the petitioner cannot be considered as a full time librarian, as the school where the petitioner is working has a strength less than 1000 students.

3. We may not enter into the said debate. The management has given a proposal for upgrading the post to full time librarian in the school where strength is more than 1000. The Deputy Director of Education has also further forwarded the proposal to the Director of Education (Page 52). It appears that, no decision is taken upon the said proposal. The Director of Education shall take decision upon the said proposal (Page 52, Exhibit 'K') on its own merits, in accordance with law and policy, expeditiously and preferably within a period of (06) six months.

4. In case, the grievance of the petitioner sustains, the petitioner is at liberty to agitate afresh.

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

(SUNIL K. KOTWAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE