

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
924 WRIT PETITION NO. 10473 OF 2014

SANJAY VISHWANATH NANANDKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Santosh S. Jadhavar
AGP for Respondents: Mr. S.Y. Mahajan
Adv. for Respondent no. 3 : Mr. R.J. Godbole

**CORAM : R.M. BORDE &
K.K. SONAWANE, JJ.**

DATE : 22nd March, 2018.

PER COURT:-

Admittedly, the Education Officer was not party to the compromise and as such, the settlement reached between the employee and the management is not binding on the Education Officer. Apart from this, on perusal of the order passed by the Education Officer on 25.3.2014, granting approval to the appointment of the petitioner from 22.3.2013, it appears that there is a backlog of ST category and as such, the Education Officer granted approval on condition of presentation of an undertaking by the institution to fulfill the backlog, by making appointment of candidates belonging to ST category as against the vacancies which would be created in future. In fact, it does appear that there was no vacancy available to accommodate the petitioner. However, the vacancy that was available, was for a ST category candidate. The petitioner does not have any right to claim approval as against a post which is earmarked for ST category. The decision rendered by the Education Officer, does not call for any interference. Petition being devoid of substance, stands dismissed.

[K.K.SONAWANE, J]

[R.M. BORDE, J]

grt/-