

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

WRIT PETITION NO. 11203 OF 2016

Kirankumar Prabhakar Musale .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner.

Smt. M. A. Deshpande, Addl.G.P. for the Respondent No. 1.

Shri Umesh S. Mote, Advocate for Respondent Nos. 2 to 4.

**CORAM : S. V. GANGAPURWALA AND
R. G. AVACHAT, JJ.**

DATE : 15TH OCTOBER, 2018.

FINAL ORDER :

. Under order dated 05.07.2018 we had directed the Commissioner to resolve the anomalous situation that that been created. The petitioner was working with Zilla Parishad, Hingoli. The petitioner was relieved on the request of inter-district transfer and the petitioner was directed to be absorbed with Zilla Parishad, Beed.

2. It is the case of the Zilla Parishad, Beed that vacancies do not exist and already 65 Assistant Teachers are in excess.

3. The Divisional Commissioner pursuant to our order had

considered the matter and had directed the Chief Executive Officer, Zilla Parishad, Hingoli to allow the petitioners to join in Zilla Parishad, Hingoli.

4. Needless to state that as it is not fault of the petitioner, the petitioner would be entitled for the continuity in the service. As far as the salary for the interregnum period is concerned, the petitioner may apply to the Education Officer, Hingoli, which application shall be considered by the Education Officer on its own merits. The Zilla Parishad, Hingoli shall take immediate steps to join the petitioner pursuant to the order passed by the Commissioner.

5. Writ petition stand disposed of. No costs.

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]

bsb/Oct. 18