

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

WRIT PETITION NO. 11668 OF 2016

Savitribai Phule Shikshan Prasarak Mandal,
Lokhande Baranjala

..PETITIONER

VERSUS

State of Maharashtra and Others

..RESPONDENTS

....

Mr. H.P. Jadhav, Advocate for petitioner.

Mr. S.K. Tambe, A.G.P. for respondent nos. 1 to 3.

Mr. R.I. Wakade, Advocate for respondent no.4.

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

DATED : 26th OCTOBER, 2018

ORDER :

Mr. Jadhav, the learned Counsel for the petitioner submits that respondent no.4 has been appointed without following due procedure of law, taking undue benefit of position of her husband. The learned Counsel submits that the post, on which respondent no.4 is appointed, is not admissible. The petitioner filed a complaint with the Education Officer and the Deputy Director of Education. However, no action is taken by the authorities. The petitioner, therefore, prays that the respondent - authorities be directed to decide the complaint filed by the petitioner.

2. Respondent no.4 has filed affidavit. It appears to have granted approval initially on permanent un-aided post on 23rd March, 2010 and thereafter has granted approval on aided post on 16th December, 2011.

3. As the approval has been granted way back in the year 2011, we are not inclined to pass any order. If at all fraud is committed, then it is for the authority to take appropriate action. However, if fraud is brought to the notice of the authority and the authority, prima facie, feels that fraud has been committed, then they are entitled to take further action. Writ petition is disposed of. No costs.

(R.G. AVACHAT, J.)

(S.V. GANGAPURWALA, J.)

SSD