

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

WRIT PETITION NO. 12069 OF 2016

Madarsa E Miliar Education Society
Through its Secretary and others .. Petitioners

Versus

The State of Maharashtra and others .. Respondents

Shri V. S. Panpatte, Advocate for Petitioners.

Shri S. K. Tambe, A.G.P. for Respondent Nos. 1 and 2.

Mrs. Yogita M. Kshirsagar, Advocate for the Respondent No. 3.

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

DATE : 15TH OCTOBER, 2018.

FINAL ORDER :

. The learned Assistant Government Pleader submits that, the proposal submitted by the petitioner seeking approval to the appointment of the petitioner No. 3 is incomplete and is not in consonance with the provisions of the Right to Education Act.

2. Mr. Panpatte, the learned counsel for petitioners submits that, the proposal is submitted in the year 2010. The same is not yet decided.

3. The respondent No. 1 is expected to decide the proposal

with regard to creation of the posts on its own merits as is submitted and considering the posts as prevailing.

4. It appears that, the proposals are forwarded by the Education Officer to the Deputy Director and the Deputy Director has forwarded it to the State Government.

5. In the light of that, the State Government shall decide the proposal (Exhibit – D) page 41 on its own merits in accordance with law as applicable to the proposal submitted, expeditiously and preferably within a period of six months from today.

6. Depending upon order passed by the State Government, the Education Officer shall consider the proposal to the appointment of the petitioner No. 3 within a period of three (03) months from the date of the order of the State Government about sanction of posts.

7. In the light of the above, the writ petition is disposed of. No costs.

[R. G. AVACHAT, J.]

[S. V. GANGAPURWALA, J.]