

WRIT PETITION NO. 15203 OF 2017

WITH
WRIT PETITION NO. 15214 OF 2017

WITH
WRIT PETITION NO. 15281 OF 2017

Shri Yogesh B. Bolkar, Advocate for the Petitioners.
Shri A. S. Shinde, A.G.P. for Respondents.

DATE : 8th February, 2018

1. The petitioners assail the communications dated

10.11.2017 directing petitioners to absorb surplus teachers or else action would be taken.

2. Mr. Bolkar, learned advocate submits that no vacancy exists in the petitioners schools. The proposals are submitted by the management to the Education Officer seeking approval to the appointments of persons after following due procedure. The proposals are submitted in the year – 2016. The same were not being decided. The employees had approached this court seeking directions against the Education officer to decide the proposals. This court under order dated 1st November, 2017, directed the Education Officer, to decide the proposals within three months and till that time the present petitioners were refrained from taking any further steps against those employees. The learned advocate submits that though the said proposals are not decided the impugned communications are issued.

3. Learned A.G.P. submits that the petitioners are duty bound to absorb the surplus teachers, considering the large number of surplus teachers and the Government Policy.

4. In writ petition bearing No. 6018 of 2016 with connected writ petitions under order dated 1st November, 2017, we had directed the Education Officer to take decision upon the proposals submitted by the Institution within three months.

5. Considering that the proposals referred to the Education Officer is subjudice, we pass the following order-

ORDER

I] Till the proposals of the employees appointed by the petitioner are pending with the Education Officer for approval, the impugned communications shall not be acted upon.

II] The Education Officer may take further steps depending upon the decision that is taken upon the proposals for approval submitted by the petitioners of its employees.

6. The writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]