

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7736 OF 2014

Dnyneshwar Krishna Kamble ...Petitioner
V/s.
The State of Maharashtra & Ors. ...Respondents

Mr.Ajay A. Joshi for the Petitioner.

Mr.V.M. Mali, AGP for Respondent Nos.1 to 4.

Mr.B.R. Deshmukh for the Respondent Nos.5 and 6.

**CORAM : B.R. GAVAI &
SMT.BHARATI H. DANGRE, JJ.**

DATE : 04th MAY 2018

P.C.

1. In pursuance to the warrant issued by this Court dated 02nd May 2018, Satyawar Dharma Sonawane, Education Officer(Secondary), Zilla Parishad, Solapur, is personally present in the Court. He has tendered apology. He has given reason as to why he could not remain present in the Court on the earlier date. The apology is accepted. The warrant is discharged.

2. The parties are heard on merits. The petition is finally heard by consent of the parties.

3. For the reasons recorded separately, the Rule is made absolute in the following terms.

4. It is held and declared that the petitioner's appointment dated 01st January 2004 is legal and valid. The respondents are directed to grant approval to the appointment of the petitioner from 01st January 2014 as Shikshan Sevak in the Respondent No.6-Junior college of the respondent No.5 against a post reserved for Scheduled Caste. The petitioner would be entitled to be absorbed as Assistant Teacher in the Respondent No.6-Institute after completion of three years as Shikshan Sevak.

5. The arrears to be paid to the petitioner within a period of three months from today.

6. However, in the peculiar facts and circumstances, the petitioner would be entitled for arrears of salary. The petitioner shall be paid regular salary with effect from 01st June 2018 on the establishment of the respondent No.6.

7. The order of absorption of the respondent No.7 is modified. The respondent No.7 shall stand absorbed in the

secondary school of the respondent No.6, against the open post under the management of the respondent No.5 with effect from 01st June 2018. The Salary to be paid to the petitioner till 31st May 2018 would be on the basis of his earlier absorption order. However, the salaries to be paid to the respondent No.7 from 01st June 2018 on the basis of his absorption on 02nd June 2018.

(SMT.BHARATI H. DANGRE, J.)

(B.R. GAVAI, J.)