

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10438 OF 2012

Dandoti Shoheb Ahmed Ali Shaikh
and Others.

..Petitioners.

Versus

The Education Officer, ZP Solapur
and Another.

..Respondents.

Mr. S.M. Mirajkar for the Petitioner.

Mr. S. B. Kalel, AGP for the Respondent-State.

Mr. Amey Sawant i/b Tejasweta Kadam for Respondent No. 1.

Mr. A. S. Kulkarni for Respondent No. 4.

Coram : Ranjit More &
Smt. S. S. Jadhav, JJ.

Date : **March 26, 2018.**

P. C. :

1. Heard learned Counsel appearing for the respective parties. The petition is filed seeking directions to Respondents to approve the posts of Petitioner Nos.1 and 2 on grantable basis along with backwages since the date of their appointment, ie., 6th July 2011. This relief is claimed relying upon the letter dated 20th September 2012 written by the then Education Officer (Primary), Zilla Parishad, Solapur.

2. The above letter shows that 100% grant in aid was given to Muslim Chapparbad Urdu Primary School, Solapur with effect from 1997-98.

3. The present Education Officer (Primary), Zilla Parishad, Solapur has filed an affidavit-in-reply dated 23rd March 2018. He has stated on oath that the letter dated 20th September 2012 which is

shown to have been issued by the Education Officer (Primary), Zilla Parishad, Solapur, is a fabricated document. Learned Counsel for Respondent No.4 states that the said school was initially granted approval, however, never received grant in aid. That apart, the said school is closed in the year 2011 and management is transferred to Nida Urdu Primary School. There is nothing on record to show as to whether the Petitioners are serving with the said school or not. Learned Counsel for the Petitioner is also not in a position to make any statement in this regard.

3. The petition is bereft of merit and the same is, therefore, dismissed.

[Smt. S. S. JADHAV, J.]

[RANJIT MORE, J.]