

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6748 OF 2016

Mrs.Kirti Bhushan Naik and Anr. ... Petitioners

Vs

The State of Maharashtra, through Secretary
Ministry of Education and Sports and Ors. ... Respondents

Mr.B.G.Ligade i/b Mr.Drupad S. Patil for the Petitioner.

Mr.V.M. Mali, AGP for State.

Mr.Pavan S. Patil for Respondent Nos.3 and 4.

Mr.V.V.Ugale i/b Mr.A.M. Saraogi for Respondent Nos.5 and 6.

**CORAM : S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.**

TUESDAY, 18TH DECEMBER, 2018

P.C. :

1 This Writ Petition is filed by one of the teachers in whose case the appointment order was earlier granted, but later on cancelled.

2 We have allowed her Petition and thus, the teacher- Mrs.Kirti Bhushan Naik is now the beneficiary of the favourable order passed in the substantive Petition. We do not see any reason for

entertaining her grievance insofar as appointment of the other teacher- Ms.Pratidnya Y. Gaikwad is concerned. That teacher has also been appointed in pursuance of the same advertisement, reliance on which has been placed by Mrs.Kirti Bhushan Naik in her Petition. She has, therefore, raised contrary and conflicting allegations and grounds. In the circumstances, when the appointment of Ms.Pratidnya Yeshwant Gaikwad was otherwise justified, we do not see how the Education Officer could have cancelled the approval in her favour. The allegation is that though explanation was called for and a show cause notice has been issued, this teacher has not been visited with the same consequences and adverse in nature as that of Mrs.Kirti Bhushan Naik.

3 We see no reason to direct the Education Officer to now lodge any inquiry into the appointment of respondent No.6 in this Petition.

4 As a result of this discussion, this Writ Petition fails and stands dismissed.

[SMT. BHARATI H. DANGRE, J.]

[S.C. DHARMADHIKARI, J.]