

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

WRIT PETITION NO. 3576 OF 2019

Jagdish Chintaman Khodake .. Petitioner

Versus

The Head Mistress Abhay Prathamik
Vidyamandir Dhule and others .. Respondents

Shri Shantanu Deshpande, Advocate h/f Shri Dr. R. J. Godbole,
Advocate for the Petitioner.

Shri P. M. Nagargoje, Advocate for the Respondent No. 1.

Shri V. S. Panpatte, Advocate for the Respondent No. 2.

Ms. Vaishali D. Jadhav, Advocate for the Respondent No. 3.

Smt. Geeta L. Deshpande, A.G.P. for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 25TH SEPTEMBER, 2019.

ORDER :

. The communication is produced by the learned advocate for the Education Officer/respondent No. 3. It is submitted that, the respondent No. 1/institution is not allowing the petitioner to join.

2. According to the learned counsel for the respondent No. 1, the post is a new post meant for reserved category and the petitioner is from open category.

3. It would be the lookout of the Education Officer to accommodate the petitioner in a proper manner. Ms. Jadhav, the learned advocate for the Education Officer submits that, the respondent No. 1 was directed to absorb the petitioner. The respondent No. 1 is parent institution of the petitioner. It is the respondent No. 1 who is not absorbing the petitioner.

4. The respondent No. 1 shall allow the petitioner to join the duties with the respondent No. 1. Naturally, the past services rendered by the petitioner are required to be considered and counted.

5. Mr. Nagargoje, the learned counsel for the respondent No. 1 submits that, the petitioner may join on 30th September, 2019.

6. After the petitioner joins with the respondent No. 1, if some further contingency arises, the Education Officer shall take care of the same and pass effective orders commensurate to the situation.

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

[ANIL S. KILOR, J.]

[S. V. GANGAPURWALA, J.]