

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

WRIT PETITION NO.1614 OF 2019

Pratibha d/o Indrajit Gaikwad,
Age : 37 years, Occu. : Service as
Shikshan Sevak Lal Bahadur Shastri
Vidyalaya, Hasori (Bk.), Tq. Nilanga,
Dist.Latur.

... Petitioner

VERSUS

1. The State of Maharashtra
Through its Secretary,
School Education Department,
Mantralaya, Mumbai -32.
2. The Deputy Director of Education
Latur Region, Latur, Dist. Latur.
3. The Education Officer (Secondary)
Zilla Parishad, Latur, Dist. Latur.
4. The Secretary,
Navtarun Dnyan Prasarak Mandal,
Hasori (Bk.), Tq. Nilanga,
Dist. Latur.
5. Lal Bahadur Shastri Vidyalaya,
Hasori (Bk.), Tq. Nilanga,
Dist. Latur
Through its Head Master.

... Respondents

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Mr. R.R. Suryawanshi, Advocate for Petitioner;
Mt. V.S. Badakh, A.G.P. for Respondent Nos.1 to 3.

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**CORAM : PRASANNA B. VARALE
AND
S.M. GAVHANE, JJ**

DATED : 04th MARCH, 2019

PER COURT:-

1. Heard the learned counsel for the petitioner.
2. As the grievance is limited one, the petition is taken up for final hearing at the admission stage.
3. Notice to respondent Nos. 1 to 3, returnable forthwith. Learned AGP waives service of notice on behalf of Respondent Nos.1 to 3
4. The documents placed on record show that an advertisement was issued for appointing the persons on the post of *Shikshan Sevak*. Two posts are made available. One from open category and other from reserved category. This advertisement was issued on behalf of the Respondent No.4 i.e. Secretary of the Society. The Petitioner was possessing the requisite academic qualifications and submitted his claim in response to the advertisement. The petitioner was appointed by order dated 01.10.2012. The initial appointment of the petitioner was on the post of *Shikshan Sevak* for the period of three years i.e. from 01.10.2012 to 30.09.2015. Petitioner joined the services on 01.10.2012. It is submitted before us that as there was sufficient posts available for the permanent teachers as per the approved staffing pattern, the petitioner could have been granted permanency, but due to the pendency of the proposal, no steps are taken by the Respondent Nos. 4 and 5. Copy of the proposal submitted to the Education Officer (Secondary), Zilla Parishad, Education Department, Latur dated 30.10.2013 is placed on record at Exhibit 'E'. A statement is made in the petition with the petitioner was repeatedly requesting the

authorities orally to take appropriate steps so as to decide the proposal, but no heed is paid to the request made by the petitioner, as such, the petitioner left with no choice to approach this Court by way of the present petition.

5. As we stated earlier, the grievance of the petitioner is limited one as non decision on the proposal of the petitioner submitted to the Education Officer, we deem it appropriate to decide the petition with directions to Respondent No.3 – The Education Officer (Secondary), Zilla Parishad, Latur to decide the proposal dated 30.10.2013, if not decided till date, as expeditiously as possible, and not later than 12 weeks from the date of order of this Court. Needless to state on the merits of the proposal.

6. With these observations, the petition is disposed of.

(S.M. GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE