

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

WRIT PETITION NO. 1645 OF 2018

Vilas Dadaji Gosavi	.. Petitioner
Versus	
Education Officer Zilla Parishad, Ahmednagar and others	.. Respondents

Shri L. V. Sangeet, Advocate for the Petitioner.
Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 to 3.
Shri R. D. Bhalerao, Advocate for Respondent Nos. 4 and 5.

**WITH
WRIT PETITION NO. 5853 OF 2018**

Adivasi Unnati Seva Mandal Rajur, Through its President/Chairman Bharat Namdeo Ghane	.. Petitioner
Versus	
The State of Maharashtra and others	.. Respondents

Shri R. D. Bhalerao, Advocate for the Petitioner.
Shri S. B. Pulkundwar, A.G.P. for Respondent Nos. 1 to 3.
Shri L. V. Sangeet, Advocate for the Respondent No. 4.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVAL, JJ.
DATE : 22ND APRIL, 2019.**

FINAL ORDER :

. Writ Petition No. 1645 of 2018 is filed by the employee challenging the order of the Deputy Director of Education dated 21.12.2017 rejecting his application to be absorbed and

considered for the post of Shikshan Sevak. During the pendency of said writ petition, the Deputy Director of Education reconsidered his order impugned in the Writ Petition No. 1645 of 2018 and allowed the application of the petitioner under order dated 11.04.2018. The said order is assailed in Writ Petition No. 5853 of 2018 by the management.

2. We have heard Mr. Sangeet, the learned advocate for the employee and Mr. Bhalerao, the learned advocate for the management, so also the Assistant Government Pleader for the respondent/State.

3. It appears that, order is passed by the Deputy Director of Education on 11.04.2018 relying on Government Resolution dated 10.06.2005 giving right to the member of non teaching staff on having acquired necessary qualification to be considered as Shikshan Sevak. The affidavit is filed by the Education Officer and it appears that the post of assistant teacher/Shikshan Sevak for N.T.-B category is not available. Naturally roster will have to be followed and adhered to. The petitioner in Writ Petition No. 1645 of 2018 is appointed on non teaching post from N.T.-B category.

4. Considering the above, we clarify that the petitioner/employee shall be considered for appointment as

Shikshan Sevak by the management/institution as and when the post of Shikshan Sevak would be available from N. T. - B category.

5. With this clarification writ petitions are disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb / April 19