

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

930 CONT. PETITION NO.183 OF 2019
IN WP/7052/2015

JAYSHREE YASHWANT GHANKUTE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. Bedre Vinayak Sudhakar
AGP for Respondents: Mr. K.N. Lokhande

...
CORAM : **PRASANNA B. VARALE & ANIL S. KILOR, JJ.**

Date: November 20, 2019...

PER COURT :-

1 This Court, in Writ Petition No.7052 of 2015, directed the Education Officer to call for the proposal from the management, with regard to the post of Head Mistress from the ST category candidate, within a period of two months and in spite of communication, if the proposal is not received, shall take further steps as per the letter dated 6.3.2010. The said order was passed by this Court in view of the anomalous situation created in the school because of dispute in the management.

2 After the said order was passed, though the Education Officer called for the proposal from the management, the management did not submit any proposal to the Education Officer and therefore, as per the directions of this Court, the Education Officer proceeded further in the matter and issued a communication on 4.2.2019. In the said communication, the

Education Officer expressed his inability to grant promotion to the petitioner, in view of the fact that he does not possess any power to promote the petitioner as per the letter dated 6.3.2010. The petitioner acknowledged the receipt of the said letter and it is annexed with the contempt petition.

3 In view of the said communication dated 4.2.2019, we are satisfied that the compliance of the directions of this Court is made by the Education Officer. As far as the legality of the said communication is concerned, a remedy is available to challenge the same, if the petitioner so desires. Accordingly, the present Contempt Petition is disposed of.

4 At this stage, the learned counsel for the petitioner seeks liberty to file appropriate proceedings against the communication dated 4.2.2019. The liberty is granted, as prayed by the petitioner.

(ANIL S. KILOR, J)

(PRASANNA B. VARALE J).