

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

WRIT PETITION NO.2921 OF 2019

**SMITA DASHRATH WACKCHAURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr.R.D.Bhalerao, Advocate for the petitioner
Mr.S.S.Dande, AGP for the respondents/State

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

DATED : 06.03.2019

P.C. :-

. Heard learned counsel for the petitioner.

2. The petitioner is before this Court with a prayer that the proposal is submitted to the Education officer (Secondary), Zilla Parishad, Nashik. The petitioner is a person resident of Kalas (Kh), Tq. Akole, Dist. Ahmednagar. Husband of the petitioner is resident of village Pimpalgaon, Tq. Akole, Dist. Ahmednagar. It is stated in the petition that the petitioner is approaching this Court on the ground that the school of the petitioner is hardly near about 50 km away from her residential village, as such she used to work in the school by daily up and down. It is submitted before us that the petitioner was appointed in the year 2015. Copy

of the appointment order is also placed on record at page No.25. The petitioner was appointed on 31.08.2015. Learned counsel for the petitioner also invited our attention to the copy of the resolution to submit that resolution was passed on 15.09.2015 granting permission to the appointment of the petitioner. Learned counsel then submits that as the petitioner is working in the school till date and the proposal is pending before the Education Officer (Secondary) for considerable long period, the petitioner has approached this Court with the prayer for direction to the Education Officer (Secondary), Zilla Parishad, Nashik to decide the proposal expeditiously. On our specific query as to whether an advertisement was issued by the institute. Learned counsel invited our attention to the copy of the advertisement placed on record at page 60. Perusal of the copy shows that the advertisement was issued some time in the year 2013 as it states that the persons willing to stake their claim may submit their applications in their own handwriting to the Secretary of the Society before 23.05.2013.

3. Perusal of the proposal shows that it is stated in the proposal that Malunjkar who was Headmaster in Adarsh Secondary School stood retired and in place of

Malunjkar senior most teacher in K.J.High School, Nashik Road Smt. Gaidhane Shubhangi Nandkishor was appointed. As the post of Gaidhane fall vacant Senior most teacher in the school of respondent No.5 Society Shri. Rahinj Shivaji Sadashiv was appointed. As the post of Shri. Rahinj Shivaji Sadashiv fall vacant the petitioner is appointed in his place from 01.09.2015.

4. On the backdrop of this fact we direct respondent No.4 Education Officer (Secondary), Nashik to decide the proposal dated 11.09.2015 as early as possible and not later than sixteen weeks from the date of order of this Court, needless to state on the merits of the proposal and on verification of the record available with the Education Officer (Secondary), Nashik.

5. With the above directions, the petition is disposed of.

[S.M.GAVHANE, J.]

[PRASANNA B. VARALE, J.]