

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

WRIT PETITION NO. 5429 OF 2018

Raju Subhan Tadavi

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Ajay G. Talhar, Advocate for the Petitioner.

Mrs. Geeta L. Deshpande, A.G.P. for Respondent Nos. 1 to 3.

The Respondent Nos. 4 and 5 are served.

**CORAM : S. V. GANGAPURWALA AND
A. M. DHAVALA, JJ.**

DATE : 04TH MARCH, 2019.

FINAL ORDER :

. The petitioner is declared surplus. Mr. Talhar, the learned counsel for the petitioner submits that, the petitioner belongs to the Scheduled Caste category and physically disabled. He is appointed to teach zoology and environmental science. Other two teachers are also declared surplus, however, if their work load is made available to the petitioner, the petitioner would have 24 periods per week. As such, the petitioner can be continued in the parent school.

2. According to the learned Assistant Government Pleader, the petitioner did not join at the place on which he was directed

to be absorbed.

3. The petitioner should approach the Nutam Maratha Arts, Science and Commerce Junior College, Jalgaon as per the order of absorption.

4. The Education Officer shall reconsider the case of the petitioner and the stand taken by the petitioner of the availability of the periods and so also take decision whether the petitioner can be again repatriated to his parent institution.

5. The petitioner shall immediately join at the Nutam Maratha Arts, Science and Commerce Junior College, Jalgaon. The Education Officer shall take decision as observed above within a period of three (03) months from today. The writ petition accordingly is disposed of. No costs.

[A. M. DHAVAL, J.]

[S. V. GANGAPURWALA, J.]

bsb / March 19