

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

54 WRIT PETITION NO.7634 OF 2018

RAJENDRA RAMLING TELI AND ANOTHER .. Petitioners
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS .. Respondents

...
Advocate for Petitioners : Shri Ankush N. Nagargoje
AGP for Respondents – State : Shri S.B. Yawalkar
...

**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE : NOVEMBER 13, 2019

PER COURT : -

1. The proposal seeking approval to the appointment of the petitioner is rejected on the ground that the post was reserved for SC category and the petitioner belongs to OBC Category.
2. The petitioner along with his rejoinder has filed the copy of the roster. The learned counsel for the petitioner accepts that, the copy of the roster was not produced before the Education Officer at the time of the decision on the proposal.
3. In light of the above, the impugned order is quashed and set aside. The matter is remitted to the Education Officer. The petitioner shall file the copy of the approved roster before the Education Officer. The Education Officer shall consider the approved roster and thereafter take decision upon the proposal of the petitioner seeking approval to his appointment as a clerk on its own merits. The decision shall be taken within four months from the date

verified roster is filed before him.

4. The Writ Petition is disposed of.

[AVINASH G. GHAROTE]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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