

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

1059 WRIT PETITION NO.8148 OF 2018

DATTATRAY SITARAMJI GAIKWAD ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

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Mr. Santosh S. Dambe, Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondents-State.

Mr. Laxman H. Kawale, Advocate for Respondent No.4.

Mr. Masood Chand Syed, Advocate for Respondent No.5.

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

DATED : 18th JANUARY, 2019.

PER COURT:-

1. We have heard the learned counsel for the respective parties.

2. It is submitted that Education Officer stayed the approval granted to the appointment of the petitioner as a Headmaster. The Education Officer would hear the authorities and take decision afresh. It is only because of the order of the status quo, the hearing has not been undertaken.

3. It is submitted that respondent no.5 is working as Headmaster on another school Netaji

Subhash Madhyamik Va Uccha Madhyamik Vidyalaya, Khavne Pimpri, Tq. Selu, Dist. Parbhani. According to the learned counsel for respondent no.5, the respondent no.5 is working on the said post under protest.

4. It is not disputed that the salary bills and day to day function of the Netaji Subhash Madhyamik Va Uccha Madhyamik Vidyalaya, Khavne Pimpri, Tq. Pathri, Dist. Parbhani is conducted by the petitioner.

5. The said arrangement would continue till the Education Officer hears and decides the complaint of respondent no.5.

6. The Education Officer shall decide the same expeditiously and preferably within a period of three (03) months. Parties shall appear before the Education Officer on 04.02.2019.

7. Writ Petition accordingly disposed of. No costs.

(A. M. DHAVAL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE