

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 8830 OF 2018

VANDANA MARK SONWANE (VANDANA UTTAM JADHAV)

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Dr. Godbole R. J.

AGP for Respondent No. 1 : Mr. S. B. Yawalkar

Advocate for Respondent No. 3 : Mr. K. D. Mundhe

Advocate for Respondents No. 4 & 5 :

Mr. V. S. Bedre

Advocate for Respondent No. 6 : Mr. R. I. Wakade

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CORAM: S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.

DATE: 07th JUNE, 2019

PER COURT:

1. Mr. Godbole, learned counsel for the petitioner submits that the petitioner was initially working with respondent no. 5. The petitioner was declared surplus and was absorbed in another Zilla Parishad school.

2. Now, according to the petitioner, the vacancy exists with respondent no. 5 school. The Education Officer (Primary), Zilla Parishad, Aurangabad has

also directed repatriation of the petitioner with respondent no. 5 under order dated 29/31.08.2017, however, the petitioner is not being absorbed by repatriation with respondents no. 4 and 5.

3. Mr. Bedre, the learned counsel submits that service of respondent no. 6 were terminated and respondent no. 6 has approached the tribunal.

4. Mr. Wakade, learned counsel for respondent no. 6 submits that respondent no. 6 has initially filed writ petition, thereafter the respondent no. 6 has approached the school tribunal and has filed application for condonation of delay in filing the appeal. Respondent no. 6 has right over the said post.

5. Today, as per the order of the Education Officer (Primary), Zilla Parishad, Aurangabad the petitioner is required to be repatriated and absorbed with respondents no. 4 and 5. Mr. Bedre, the learned counsel for respondents no. 4 and 5 accepts that the vacancy exists as respondent

no. 6 is not in service. In view of the retirement of one Smt. Chabukshwar C. R.

6. In view of above and in the light of order of the Education Officer dated 29/31.08.2017, respondents no. 4 and 5 shall absorb the petitioner by way of repatriation within fifteen (15) days from today.

7. The writ petition is accordingly disposed of.
No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

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