

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

114 WRIT PETITION NO.11332 OF 2018

RAMRAO GOPALRAO AGLAVE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr Panpatte V.S.
AGP for Respondents State: Mr V M Kagne
Advocate for Respondents 3 & 4: Mr S. R. Choudhari h/for
Irfan D Manyar
Advocate for respondent No.5: Mr R D Biradar

CORAM : S. V. GANGAPURWALA &
ANIL S. KILOR, JJ.

DATE : 24th September, 2019

ORDER:

1. The petitioner has approached this Court against the order of the Education Officer(Secondary) rejecting proposal seeking approval to his appointment. This is third round for the same purpose. Under the earlier orders of this Court, it was directed that the proposal for grant of approval to the appointment of the petitioner should not be rejected on the ground that there was ban on recruitment or that surplus candidates were available.

2. Under the last order passed by the Education Officer, the proposal is rejected on the ground that approved roster is not placed on record. Now it is contended that the post was not available on the date when

the petitioner was appointed. The petitioner appears to have been appointed on 07.04.2014.

3. We direct the Deputy Director of Education to consider staffing pattern and the roster and take decision with regard to the approval to the appointment of the petitioner. It is made clear that no other grounds will be made open for consideration.

4. The Deputy Director of Education shall only consider the ground of roster and availability of post as on the date the petitioner was appointed. The decision would be taken within three months. It is further made clear that the proposal shall not be rejected on the ground that there was ban on recruitment or that surplus candidates were available. The enquiry shall be restricted only to the extent of availability of post as per the staffing pattern and the roster.

5. Writ petition is accordingly disposed of. No costs.

(ANIL S. KILOR, J.)

(S.V.GANGAPURWALA, J.)

JPC