

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

WRIT PETITION NO. 12972 OF 2018

Kashinath Hiranman Rathod .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri V. S. Panpatte, Advocate for the Petitioner.

Mrs. A. V. Gondhalekar, Addl.G.P. for Respondent Nos. 1 and 2.

**CORAM : S. V. GANGAPURWALA AND
ANIL S. KILOR, JJ.**

DATE : 05TH SEPTEMBER, 2019.

FINAL ORDER :

. The petitioner seeks modification of the approval order. According to the petitioner, he is appointed on 02nd July, 2013, however, his services as Shikshan Sevak are approved from 12.07.2016.

2. It appears that, the institution had not obtained no objection and applied for no objection subsequently. The Deputy Director of Education had granted approval after no objection was granted. The learned counsel places reliance on the communication dated 26th February, 2019, wherein according to the petitioner the decision taken on 26th February, 2019 in the

meeting between the Hon'ble Minister for Finance and Hon'ble Minister for School Education and Sports Department with the junior colleges teacher's association and the minutes therein were circulated to the education department including the Deputy Director of Education. The learned counsel relies on Clause 4 of the directions issued in the meeting dated 26.02.2019 to the effect that the approval be granted from the date of appointment.

3. According to the learned counsel for the petitioner, other similarly situated teachers who have been granted no objection subsequently are granted approval from the initial date of appointment.

4. In the light of the above, the Deputy Director of Education shall reconsider the proposal of the petitioner. The petitioner shall produce all the documents and instructions relied by the petitioner before the Deputy Director of Education. The petitioner may appear before the Deputy Director of Education on 18th September, 2019 and may produce all the relevant circulars. The Deputy Director of Education shall consider all the relevant aspects of the matter and thereafter take decision afresh for grant of approval to the appointment of the petitioner and modification of approval order. The decision shall be taken expeditiously and preferably within a period of three

(03) months from the date of appearance of the petitioner.

5. In view of the above, the writ petition is disposed of. No costs.

[ANIL S. KILOR, J.]

[S. V. GANGAPURWALA, J.]

bsb/Sept. 19