

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

54 WRIT PETITION NO.12550 OF 2018

LAXMIKANT RAJESHWARRAO KANJALKAR
VERSUS
THE STATE OF MAHARASHTRA AND ORS.

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Mr. A.N.Nagargoje, Advocate for petitioner.
Mr. K.B.Jadhavar, Advocate for R – 1 to 4.
Mr. V.S.Deshmukh, Advocate for R – 5 & 6.

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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**
DATE : 05/03/2019

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ORAL ORDER:

. The petitioner was appointed on 28/10/2013. His services as Assistant Teacher are approved by the Education Officer under order dated 15/05/2014. Under the impugned order, Dy. Director of Education cancelled the approval on the ground that the back-log posts are not filled.

2. We have heard the learned counsel for the parties.

3. The roaster was got verified by the school on 20/08/2013. It is seen that there are six posts vacant for open category. Even as per the report of the Education Officer, there were 5 posts vacant for open category.

4. It is not the case of the Education Officer that the post for general category was not available. However, it was only on the ground that the back-log posts were not filled in, the approval has

been cancelled. The management has given undertaking that in case there is back-log available, the management would fill in the posts of reserved category.

5. Considering the above, the impugned order is quashed and set aside. Necessary consequences shall follow.

[A.M.DHAVALA]
JUDGE

[S.V.GANGAPURWALA]
JUDGE

KNP.