

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

58 WRIT PETITION NO.12805 OF 2018

**RUTUJA SHAHAJI PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioner : Mr. Jadhavar Santosh S.
AGP for Respondent: Mr. PK. Lakhotiya
Advocate for Respondent Nos. 3 to 7 : Mr. Thombre S.S.

...

**CORAM : S. V. GANGAPURWALA AND
MANGESH S. PATIL, JJ.**

DATE : 06/08/2019

PER COURT :

1. The learned counsel submits that the petitioner had challenged the seniority list prepared by the respondent before the Education Officer.

2. According to the institution, the seniority list prepared for the year 2013-14 was not in consonance with the rules under circular. The seniority list as prepared for the year 2016-17 shows the petitioner at serial No. 18 of the seniority list and she is surplus.

3. As per Rule 12 of the M.E.PS. Rules, if any party has got grievance with regard to the seniority, the same has to be decided by the Education Officer. The petitioner has already approached the

Education Officer by filing an application on 04.04.2019. The Education Officer shall decide the said objection after hearing the petitioner, management, within 1 month from the date of appearance of the party. The petitioner, Management and Headmaster shall appear before the Education Officer on 19.08.2019. Depending upon the decision that would be taken by the Education Officer the party shall act upon it. The education officer shall also consider on its own merits about the grievance raised by the petitioner with regard to the excess post. Interim order to continue till the decision of the Education Officer. Writ petition is disposed of. No costs.

(MANGESH S. PATIL, J.)

(S. V. GANGAPURWALA, J.)

habeeb