

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

**22 WRIT PETITION NO.14399 OF 2017
WITH CA/15001/2018 IN WP/14399/2017**

- 1 Smt. Ranjana Dhanraj Korde,
Age 27 yrs., Occ. Service,
R/o Jawalaga (Pomadevi), Tq., Ausa,
Dist. Latur.
- 2 Santosh Chandrakant Lakade,
Age 28 yrs., Occ. Service,
R/o Limbala (Dau), Tq. Ausa,
Dist. Latur.
- 3 Suhas Bhagwanrao Deshpande,
Age 35 yrs., Occ. Service,
R/o Bramhan Galli, Ausa,
Dist. Latur.
- 4 Dnyanvardhini Shikshan Sanstha,
Jawalaga (Pomadevi), Tq. Ausa,
Dist. Latur.
Through its Secretary,
Raghunath Vyankatrao Phadnis,
Age 78 yrs., Occ. Legal Practitioner,
R/o Jawalaga (Pomadevi), Tq. Ausa,
Dist. Latur.

... **Petitioners.**

... **Versus** ...

- 1 The State of Maharashtra,
Through Secondary School,
Education Department,
Mantralaya, Mumbai.
- 2 The Education Officer,
Zilla Parishad, Latur.

... **Respondents.**

...

Mr. B.R. Waramma, Advocate for the petitioners

Mr. S.N. Kutti, AGP for the respondent No.1

Respondent No.2 - served

...

CORAM : SUNIL P. DESHMUKH &
SMT. VIBHA KANKANWADI, JJ.

DATE : 25th NOVEMBER, 2019

PER COURT :

1 The petitioners are before this Court contending that pursuant to advertisement, selection process had been undertaken and they were selected and appointed as Shikshan Sevak and Clerk in 2014. Proposals for approval to their appointments, submitted to respondent No.2-Education Officer, Zilla Parishad, have not been decided as yet. In the meanwhile, a notice came to be issued by respondent No.2 on 20.11.2017 directing to absorb surplus teachers on vacant posts, instead of considering proposals of petitioners.

2 Learned AGP refers to that the petitioners are not complying with the provisions and procedure and in the circumstances while surplus employees are available, it is difficult to grant approval to appointments of petitioners.

3 Learned counsel for petitioners purports to contend that there are many factual aspects which are not considered i.e. as to what was the position of vacancies for appointment, as to availability of surplus teachers on the date of advertisement and as to whether the entire surplus employees are to be considered only in one institution etc..

4 Having regard to aforesaid position, we deem it appropriate to direct respondent No.2 to decide on the proposals of the petitioners taking into account the position obtaining on the date of vacancies. The proposals for approval be decided as expeditiously as possible.

5 With aforesaid directions, writ petition stands disposed of.

6 In view of disposal of present writ petition, Civil Application also stands disposed of.

(Smt. Vibha Kankanwadi)
JUDGE

(Sunil P. Deshmukh)
JUDGE