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

WRIT PETITION NO.38 OF 2019

Bhaskar s/o Gangadhar Lokhande,
Age: 45 years, Occu: Teacher,
R/o C/o Minakshi Deshmukh Memorial,
Girls High School & Junior College,
Ardhapur, Tq. Ardhapur,
Dist. Nanded

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
School Education Department,
Maharashtra State,
Mantralaya, Mumbai-32
2. Director of Education,
Administrative Building,
Near Pune railway station,
Dist. Pune
3. The Dy. Director of Education,
Office of Dy. Director of Education,
Near Gandhi Statue, Latur,
Dist. Latur
4. The Chairman,
Minakshi Deshmukh Memorial,
Girls High School & Junior Collage,
R/o Near Gujrathi High School,
Shivneri Hospital, Vazirabad, Nanded
Tq. and Dist. Nanded
5. The Head Master,
Minakshi Deshmukh Memorial,
Girls High School & Junior Collage,
Ardhapur, Tq. Ardhapur,
Dist. Nanded

..RESPONDENTS

Mr M. M. Parghane, Advocate for petitioner;
Ms. R. P. Gaur, A.G.P. for respondent Nos.1 to 3

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**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 10th January, 2019

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

2. A very limited grievance is raised in the petition. The submission is, the petitioner was appointed by respondent no.4 management in the school, namely, Minakshi Deshmukh Memorial Girls High School & Junior College some time in the year 1988. Thereafter, time and again, the proposals for grant of approval were submitted to the authorities of the Education Department. One of such approvals is placed on record at page 15. Perusal of the said document shows that the Deputy Director of Education, Latur Division, Latur granted temporary approval to the appointment of the petitioner for the academic year 2004-05. Then there is another document placed on record i.e. a communication of March, 2011 wherein it is referred to that the approval is granted to the petitioner for the academic year 2010-11, on clock hour basis. Again there is similar approval for the academic year 2012-13, by communication dated 25th June, 2013 and similar approvals are granted for academic years 2013-14 and 2014-15 by the Deputy Director of Education, Latur Division.

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3. Learned Counsel appearing on behalf of the petitioner vehemently submitted that in spite of a continuous service for more than six years, neither the management nor the authorities of the Education Department granted status of a permanent employee to the petitioner even though the petitioner has submitted representations to respondent no.5 Head Master on 14th September, 2018 and to the Deputy Director of Education, Latur Division, Latur on 10th October, 2018. Learned Counsel further fairly submitted that the representation dated 10th October, 2018 to the Deputy Director of Education is a comprehensive representation and in that representation though it is stated that the petitioner had initiated proceedings in this Court, that statement was an erroneous statement and it was the only desire of the petitioner to bring to the notice of the authorities the grievance of the petitioner and if the grievance is not redressed, the petitioner would avail appropriate legal remedies. This being the facts situation in the matter and it is not in dispute that the representation is recently submitted to the Deputy Director of Education on 10th October, 2018 and is pending for consideration/decision of the Deputy Director of Education, in our opinion, the petition can conveniently be disposed of by giving directions and accordingly respondent no.3 Deputy Director of Education is directed to decide the representation of the petitioner, dated 10th October, 2018, as expeditiously as possible and not later than twelve weeks from the date of the order of this Court, needless to state on merits of the representation. We also make it clear that if respondent no.3 is of the opinion to give an

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opportunity of hearing to the parties including the petitioner and the institute or the representative of the institute-management, respondent no.3 may undertake this exercise.

With aforesaid directions, writ petition stands disposed of.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

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