

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 14241 OF 2018

RAVIKANT DYANOBARAO PANCHAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. S. B. Ghatol Patil
AGP for Respondents No. 1 to 4 : Mr. A. B. Chate

Advocate for Respondents No. 5 & 7 :

Mr. V. V. Bhavthankar

Advocate for Respondent No. 8 : Mr. P. N. Kalani

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CORAM: S. V. GANGAPURWALA &
A. M. DHAVALA, JJ.

DATE: 18th MARCH, 2019

PER COURT :

1. The petitioner challenges the order dated 12.12.2018 directing the petitioner to be absorbed in respondent no. 8 school.

2. The learned counsel for respondent no. 8 submits that the respondent no. 8 school is declared as minority institution. The learned counsel for the Zilla Parishad does not dispute that respondent no. 8 is declared as minority

institution. In that event, the minority institution cannot be directed to absorb surplus candidates.

3. In the light of that, the order dated 12.12.2018 directing absorption of the petitioner in respondent no. 8 school is quashed and set aside.

4. The petitioner claims arrears of salary. it is for the Education Officer to consider that the petitioner has worked in the particular institution as per the order of absorption. The Education Officer shall take decision in that regard after hearing the petitioner and respondent no. 8. The said decision shall be taken within a period of six (06) months.

5. Writ Petition stands disposed of accordingly.
No costs.

[A. M. DHAVAL, J.] [S. V. GANGAPURWALA, J.]