

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.984 OF 2019

(Nitin Shikshan Sanstha, Navegaon Bandh, Tah. Arjuni Morgaon, Dist. Gondia thr. its Secretary and others Vs. The State of Maharashtra thr. its Secretary to the Govt. Maharashtra, School Education & Sports Department, Mumbai and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri M.M. Sudame, Advocate for Petitioners.
Shri N.R. Patil, AGP for Respondent No.1.

CORAM: SUNIL B. SHUKRE AND
ROHIT B. DEO, JJ.

DATE: 5th NOVEMBER, 2019.

Heard.

Perused the impugned order which rests on two grounds. The first ground, appears to be in consonance with the law. It states that as the appointments of petitioner Nos.3 and 4 have been made as Shikshan Sewak without taking prior permission of the Education Officer, no approval could be granted to their appointments.

It is the contention of the learned counsel for the petitioners that the application seeking permission to make appointments was made by the petitioner Nos.1 and 2 to the Education Officer but, no decision was taken by the Education Officer. He also submits that even now, the representation made by the petitioner No.1 to the Education Officer for grant of permission to make appointment is pending. Whatever might be the efforts taken by the

petitioner Nos.1 and 2 to seek prior permission for making the appointments, the fact remains that the appointments have been made without grant of any permission by the Education Officer and as such, no error or illegality could be found in the impugned order. Accordingly, we find that there is no merit in the petition at least as of now. However, respondent Nos.3 and 4 would be at liberty to consider the representations of the petitioners regarding grant of permission to make appointments, and decide the representations in accordance with law, if the representations are still pending. The petition is dismissed. No costs.

JUDGE

JUDGE