

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

**CIVIL APPLICATION NO. 1008 OF 2020
IN
CONTEMPT PETITION NO. 618 OF 2019
IN
WRIT PETITION NO. 1101 OF 2019**

Ramdas Suryabhan Khade	... Petitioner
Versus	
Director of Education (Primary) and others	... Respondents

....

Mr. U. L. Telgaonkar, Advocate for petitioner
Ms. P. V. Diggikar, AGP for the State

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**CORAM : PRASANNA B. VARALE
AND
R. G. AVACHAT, JJ.**

DATED : 28th JANUARY, 2020

PER COURT :-

1. Heard learned counsel for the applicant.

2. By way of present application amendment is sought to the petition. It is submitted that there was an error occurred referring the name of respondent No.3. It is submitted that it has come to the knowledge of the applicant/petitioner that respondent No.3 - one Mr. Rajesh Ramesh Gaikwad, who was the District Education Officer, has been removed from service and in his place, one Shri Pramod

Hanumant Kale who is holding the charge of the post i.e. Deputy Chief Executive Officer is the Incharge District Education Officer (Primary), Zilla Parishad, Beed.

3. In view of the above, the applicant is permitted to amend the petition by incorporating the name of Mr. Pramod Hanumant Kale as respondent No.4 to the petition.

4. A prayer is also made in the application that the petitioner may be permitted to carry out amendment by adding paragraph No.11, the same reads thus:

“11. The respondent No.4 is presently in charge of District Education Officer (Primary), Z.P. Beed. Being in charge District Education Officer (Primary), he is bound to obey the orders of the Hon’ble Court. But he is also deliberately and willfully not taking the necessary steps in that regard.”

5. Though, the statement is made in paragraph No.11, no supporting material is placed on record to satisfy this Court, as the officer i.e. respondent No.4, who occupied the position in place of respondent No.3 - Mr. Rajesh Ramesh Gaikwad, was any time, apprised about the order of this Court.

6. In view of this fact, the applicant-petitioner is permitted to amend the petition, subject to placing on record the supportive

material of the statement made in paragraph No.11, within two weeks from today. The amendment be carried out by Friday i.e. 31.01.2020.

7. On carrying out the amendment, issue simple notice to the added respondent No.4, returnable on 18th February, 2020.

8. We further make it clear that, if no supportive material is placed on record within two weeks, this Court may be constrained to recall the order of issuance of notice to the added respondent.

9. Civil application is disposed of.

[R. G. AVACHAT, J.]

[PRASANNA B. VARALE, J.]

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