

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3002 OF 2019

Shaikh Rizwan s/o Shaikh Bashir and Ors. ...Petitioners

Versus

The State of Maharashtra and Ors. ...Respondents

Mrs A.N. Ansari, Advocate for petitioners
Smt R.P. Gour, AGP for Respondents-State
Ms V.S. Chaudhari, Advocate for Respondent No. 7

**CORAM : S.V. GANGAPURWALA
AND
SHRIKANT D. KULKARNI, JJ.**

DATE : 7th FEBRUARY, 2020

PER COURT :

1. Mrs. Ansari, the learned Counsel for the petitioners submits that the petitioners are required to be absorbed in the schools run by the Local Bodies as per the Government Resolution dated 4th October, 2017. According to the learned Counsel, the petitioners are directed to be absorbed in Jalgaon District. The same is at the far away distance and beyond the district.

2. Smt. Gour, the learned Assistant Government Pleader also relies on the same Government Resolution and submits that when there are no vacancies available in the said district, more particularly, non pesa area, the absorption is to be made in adjoining district. Jalgaon is an adjoining district to Nandurbar.

3. We have considered the submissions. The letter dated 7th January, 2019 of the Chief Executive Officer, Zilla Parishad, Nandurbar depicts that in non pesa area, the vacant posts are not available for open (general) category candidates with the Zilla Parishad school. As per the Government Resolution dated 4th October, 2017, in such eventuality, the absorption can be made at the adjacent area. It appears that the said aspect has been considered and absorption is made in the adjacent area.

4. As and when the vacancy arises in Nandurbar district, the petitioner may make request to the authority which the authority would consider the same on its own merits.

5. The writ petition is accordingly disposed of. No costs.

[SHRIKANT D. KULKARNI, J.] [S.V. GANGAPURWALA, J.]

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