

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

61. WRIT PETITION No. 15387 of 2019

Mohamadiya Education Society,
Maulana Azad Urdu Girls High School,
Mukundnagar, Ahmednagar and another ...Petitioners

VERSUS

The State of Maharashtra and others ...Respondents

Mr. A.D. Shinde, Advocate for petitioners
Mrs. R.P. Gour, Asstt. Govt. Pleader for respondents No.1 & 2

CORAM : S.V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.

DATE : 26th February, 2020

ORDER :

1. The proposal seeking approval to the appointment of petitioner No.2 as Laboratory Attendant is rejected basically on the grounds that the permission is not sought to fill-in the post and that the staffing pattern is not yet sanctioned. Appointment of the petitioner is dated 31st August 2012. In view of that, circular dated 8th August 2017 may not apply.

2. The Staffing Pattern of the non-teaching class III

employees has been sanctioned by the Government on 28th January 2019 and the same does not appear to have been taken into consideration. In the light of that, the impugned order is quashed and set aside. Respondent No.2- the Education Officer (Secondary), Zilla Parishad, Ahmednagar, shall decide the proposal on its own merits and shall not reject it on the ground the impugned order is passed. The same shall be decided within a period of four months.

3. The writ petition is disposed of. No costs.

(SHRIKANT D. KULKARNI)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

Madkar