

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

WRIT PETITION NO. 226/2019

Sau. Sharda w/o Pramodrao Bayaskar
 Vs.

Education Officer(Secondary), Zilla Parishad, Akola and another.

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

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Court's or Judge's Orders

Shri S.S.Shingne, Advocate, for petitioner.
 Shri A.S.Fulzele, Additional Government Pleader for respondent
 no. 1.

CORAM : R.K.DESHPANDE and
A.S.CHANDURKAR, JJ.

DATE : 03.01.2020

On 02.05.2019 in Civil Application (W)
 No.872/2019, we passed an order as under :

“ The issue involved is regarding declaration of surplus and absorption of the petitioner in another school. The original school is the respondent no.2-Smt. Radhadevi Goyanka Vidya Mandir, Akola, whereas the school in which the petitioner is sought to be absorbed is Bhausahab Pote Vidyalaya, Akot.

In view of above, the respondent no.1- Education Officer to see that the petitioner joins either at the original school or the subsequent school without prejudice to her rights and contentions raised in this petition. If the petitioner is not permitted to join, the salary of the entire staff of either of the school shall be stopped and the salary of the petitioner shall be drawn immediately on the post where she joins.

Civil application stands disposed of.

Put up this matter on 10.06.2019.”

Thereafter on 25.09.2019 the following order was passed :

“The petitioner could not avail the option as she was unwell. We, therefore, permit petitioner to contact the respondent Education Officer on 9/10/2019. The Education Officer shall provide her option wherever the posts are found to be lying vacant and pass an appropriate order during the period of two weeks thereafter.

In view of above, salary of respondent no.2 School shall be released, if it is withheld.

Put up on 5/11/2019.”

In view of aforesaid orders, Shri A.S.Fulzele, learned Additional Government Pleader makes a statement that after hearing the parties concerned, the Education Officer has held that there is vacancy existing in the respondent no.2 School in which the petitioner can be accommodated. The petitioner accordingly re-joined the post in the respondent no.2 School.

As the grievance of the petitioner does not survive, the petition stands disposed of. No costs.

JUDGE

JUDGE

Andurkar..