

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

WRIT PETITION NO.1976 OF 2020

**SUREKHA MAROTI KAMBLE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for the Petitioner : Shri Kulkarni Girish N. (Mardikar)
AGP for Respondents 1 and 2 : Shri P.S. Patil
Advocate for Respondent 3 : Shri Tribhuwan Nitin T.

...
**CORAM : RAVINDRA V. GHUGE
&
S.G. MEHARE, JJ.**

DATE :- 04th August, 2021

Per Court :-

1. Respondent No.4/ Educational Institution is not served since the Secretary of the Institution was out of town when the bailiff approached it for the service of notice. However, respondent No.3, who is the Headmaster of the school run by respondent No.4, is before us.

2. Though this matter is shown in the category of respondent No.4 having not been served, the learned advocate for the petitioner submits that there are two factions in the Management. Both claim to be governing the Institution. The petitioner's limited grievance is that she has to be considered for movement from the unaided post to the aided post of an Assistant

Teacher in respondent No.3 School.

3. The learned advocate for the petitioner, therefore, submits that her pending application dated 27.11.2019 praying for her movement from the unaided post to the aided post of an Assistant Teacher, may be considered by the Education Officer (Secondary) after hearing the Management and the petitioner.

4. The learned advocate representing respondent No.3/ School submits that the Headmaster would cooperate in such hearing on the basis of the record available.

5. As such, this Writ Petition is disposed off with the following directions :-

(a) The petitioner and respondent No.3/ Headmaster would appear before respondent No.2/ Education Officer on 23.08.2021 at 02:00 PM.

(b) Respondent No.2 is at liberty to issue notice to respondent No.4 to cause it's appearance through it's Secretary.

(c) After considering the contentions of all these parties, respondent No.2 would pass a reasoned order on the application dated 27.11.2019 filed by the petitioner.