

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

WRIT PETITION NO. 5959 OF 2020

Vishal s/o Arun Mahajan and anr.

..Petitioners

Versus

The State of Maharashtra and ors.

..Respondents

Mr Y.B. Bolkar, Advocate for petitioners

Mr P.S. Patil, Addl.G.P. for respondents no.1 to 5

Mr A.D. Khot, Advocate for respondents no.6 and 7

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

DATE : 15th January 2021

PER COURT :

1. Mr Bolkar, learned Advocate for the petitioners and learned Advocate Mr Khot for management submit that the petitioners are appointed on unaided posts.
2. We have also heard Mr Patil, learned Addl.G.P.
3. It appears that the petitioners are appointed on unaided posts.
4. The Education Officer is required to consider the proposal seeking approval to the appointments of the petitioners as Assistant Teachers on unaided posts. If the aided posts become vacant, the teachers appointed on unaided posts, as per seniority and roster may be transferred to the aided posts in tune with the order dated 14.7.2019 passed in Writ Petition No.1493 of 2018 with connected Writ Petitions. It is the case of petitioners that two posts on aided divisions became vacant. Two senior teachers from unaided posts were transferred to aided divisions as such, two posts on unaided divisions became vacant and petitioners are appointed on vacant unaided divisions. In the present matter, the Education Officer is required to consider

staffing pattern as available to the unaided posts and take decision accordingly. In light of above, we pass the following order:

5. The Education Officer shall decide the proposal seeking approval to the appointment of the petitioners on unaided posts on its own merits expeditiously and preferably within four months.

6. Writ Petition disposed of. No costs.

(SHRIKANT D. KULKARNI, J.)

(S.V. GANGAPURWALA, J.)

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