

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12103 OF 2019

Jadhav Vikas Hindurao

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.H.S.Kazi, a/w. Ms.S.S.Vavhal for the Petitioner.

Mrs.P.J.Gavhane, A.G.P. for the State.

Mr.Milind Deshmukh for the Respondent no. 3.

**CORAM: R. D. DHANUKA AND
R.I.CHAGLA, JJ.**

DATE : 3rd AUGUST, 2021

P.C:-

Rule. Learned A.G.P. waives for the respondent nos. 1 and 2.

Learned counsel for the respondent no.3 waives service. Heard finally by consent of parties.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks direction against the respondents to appoint the petitioner as a full time assistant teacher in the colleges mentioned in the petitioner's letter at Exs.C and D for the subject of "Agricultural Science and Tech" (75).

3. By an order dated 28th July, 2021, this Court had recorded that the petitioner and the respondent no.3 jointly state that the issue

involved in this matter is already covered by the order dated 22nd July, 2021 in **Writ Petition No. 3133 of 2021** in case of **Shri Santosh Vitthal Bhilare vs. the State of Maharashtra & Ors.**

4. Learned A.G.P. was to take instructions and to make a statement as to whether the issue involved in this writ petition is covered by the said judgment or not today.

5. Learned A.G.P. for the respondent nos. 1 and 2 on instruction states that the issue involved in this petition is covered by the said judgment.

6. Learned A.G.P. and the learned counsel for the respondent no.3 have no objection if the similar order is passed by this Court as passed in case of **Shri Santosh Vitthal Bhilare** (supra).

7. We accordingly pass the following order :-

(a) The petition is, accordingly, disposed of by giving liberty to petitioner to file appropriate applications/representations for absorption as full time assistant teacher in accordance with the State policy. The concerned Education Officer or Deputy Director of Education, as the case may be, shall, on receipt of such

applications/representations, extend opportunity of hearing to the Petitioner and the concerned institutions (who are arraigned as Respondent No.3 in of this petition), and, thereafter, issue necessary instructions/directions for facilitating absorption of the Petitioner in accordance with the policy of the Respondent State, as expeditiously as possible, and preferably within a period of four months from the date of receipt of the applications/representations. In the event the Petitioner is found eligible for absorption either as full time Shikshan Sevak or full time Assistant Teacher in the concerned private institutions, the authorities, i.e. the Education Officer or Deputy Director of Education, as the case may be, shall issue directions to the employer institutions for submitting appropriate proposals for grant of approval to upgradation of the Petitioner as full time Shikshan Sevak/Assistant Teacher.

8. Rule is made absolute in the aforesaid terms.
9. Writ petition is disposed of in the aforesaid terms. No order as to costs.

[R.I.CHAGLA, J.]

[R. D. DHANUKA, J.]