

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.3672 OF 2021

Sonali Vasantao Patharkar .. Petitioner
Versus
Sadhana Ashok Bhosale & Ors. .. Respondents

Mr.I.M. Khairdi for the petitioner.
Mr.Nikhil D. Waje for the respondent no.1.
Mrs.P. J. Gavhane, AGP for the respondent nos.4 & 5.

**CORAM : R.D. DHANUKA
R.I. CHAGLA, JJ.
DATE : 5th AUGUST 2021
(through video conferencing)**

P.C.:-

. Mr.Khairdi, learned counsel for the petitioner states that all the respondents are served.

2. Rule. Learned AGP waives service for the respondent nos.4 & 5 and Mr.Waje, learned counsel waives service for the respondent no.1. Matter is heard by consent of parties who are present in Court.

3. Learned counsel for both the parties invited our attention to the order dated 3rd May 2021 passed by the Education Officer (Secondary) directing the management to submit a proposal for appointment of the senior most teachers on vacant posts in Grant in Aid Section.

4. Learned counsel for the petitioner and the respondent no.1 jointly states that in view of the order dated 3rd May 2021 passed by the

Education Officer (Secondary), Zilla Parishad, Management be directed to submit the proposal in compliance with the said order within a reasonable period of time. Statement is accepted.

5. The respondent nos.2 and 3 are accordingly directed to submit a proposal to the Education Officer (Secondary), Zilla Parishad in compliance with the said order within two weeks from today with a copy to be served upon the petitioner as well as the respondent no.1. The Education Officer (secondary) to decide the said proposal after hearing the petitioner as well as the respondent no.1 and shall pass an order on such proposal within four weeks from the date of hearing to the petitioner as well as the respondent no.1 in accordance with law.

6. If the said proposal is not submitted in response to the order dated 3rd May 2021 by the management, the same shall be submitted within the time period prescribed aforesaid. It is to state that in view of the order dated 3rd May 2021 passed by the Education Officer (Secondary), earlier decision taken by the Education Officer on 21st January 2021 does not survive. It is made clear that this Court has not expressed any views on merits of the matter. If any adverse order is passed against any of the parties by the Education Officer (Secondary), Education Officer (Secondary) shall not give effect to the said order for a period of 10 days from the date of communication of the said order.

7. Writ petition is disposed of in aforesaid terms. Rule is made absolute accordingly. There shall be no order as to costs.

R. I. CHAGLA J.

R.D. DHANUKA, J.