

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1928 OF 2018

Smita Harishchandra LandagePetitioner
vs.
The State of Maharashtra & Ors.Respondents

Mr. Dilip Bodke for the Petitioner.

Mr. N.C. Walimbe, AGP for the Respondent-State.

Mr. Ashutosh Gavnekar i/by Mr. C.G. Gavnekar for Respondent No.4.

**CORAM : S. C. GUPTA AND
SURENDRA P. TAVADE, JJ.**

DATE : 24 FEBRUARY 2021

P.C.

1. Heard learned counsel for the Petitioner, learned counsel for Respondent No.4 and learned AGP for the Respondent-State.
2. The subject matter of controversy in the present petition concerns appointment/absorption of the Petitioner as a Shikshan Sevak in a vacant post in Education Department (Primary), Sangli Zilla Parishad or Sangli-Miraj-Kupwad Municipal Corporation or Vita Municipal Council, Tal. Vita, District : Sangli. It is not in dispute that on merits of her case, the Petitioner is entitled to be absorbed and accommodated as a Shikshan Sevak in a vacant post under the Zilla Parishads. In fact, the Director of Education (Primary), Pune Division by addressing a letter to the Additional Chief Secretary of School Education & Sports Department, Maharashtra State,

Mantralaya, Mumbai dated 15.07.2019 has required suitable directions for appointment of the Petitioner as a Shikshan Sevak.

3. On these facts, the petition can be conveniently disposed of by directing the Respondents to issue appropriate directions for absorption of the Petitioner in the school maintained by the concerned Zilla Parishads. The Court is informed that there are adequate number of vacancies in that behalf. The Petitioner is a Scheduled Caste candidate and according to the respective rosters, there is a scope for engagement of the Petitioner as a Shikshan Sevak under the respective Zilla Parishads.

4. The petition is accordingly disposed of by directing the Respondents to accommodate or absorb the Petitioner as a Shikshan Sevak in any suitable vacant post in the Education Department (Primary), Sangli Zilla Parishad or Sangli-Miraj-Kupwad Municipal Corporation or Vita Municipal Council, Sangli. To enable the Petitioner's transfer from Zilla Parishad, Alibaug to any of these places, suitable orders shall be issued by Respondent No.4-Education Officer (Primary), Zilla Parishad, Raigad-Alibaug within a period of three weeks from today.

5. The petition is disposed of in the above terms.

(SURENDRA P. TAVADE, J)

(S.C. GUPTE, J.)