

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

WRIT PETITION NO. 5465 OF 2021

Harshada Balu Patil

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri V. S. Panpatte, Advocate for the Petitioner.

Mrs. M. A. Deshpande, Addl.G.P. for Respondent Nos. 1 and 2.

**CORAM : MANGESH S. PATIL AND
SANDEEP V. MARNE, JJ.**

DATE : 18.08.2022.

FINAL ORDER :

. Heard both the sides finally.

2. Initially approval was granted to the appointment of the petitioner as assistant teacher in unaided school. After she was transferred to aided school, approval has been granted by the respondent No. 2/Education Officer from the date of transfer to the aided school instead of from the date of initial appointment of the petitioner.

3. In affidavit in reply, the respondent No. 2 has specifically admitted the error, but has expressed inability to carry out the modification for want of powers.

4. In view of the above, the writ petition is allowed. The

impugned order is quashed and set aside. The respondent No. 2-Education Officer shall now pass fresh order in tune with the decision dated 04.07.2019 of this Court in Writ Petition No. 1493 of 2018 with other connected writ petitions. The decision shall be taken expeditiously and preferably within a period of six (06) weeks from today.

5. The writ petition is disposed of. No costs.

[SANDEEP V. MARNE, J.]

[MANGESH S. PATIL, J.]

bsb/Aug. 22