

IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.1926 OF 2021

SUHAS SURESH BODAKHE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS

Mr.S.V.Natu, Advocate for the petitioner.  
Ms.R.P.Gaur, AGP for respondent Nos. 1 and 2.

( CORAM : RAVINDRA V. GHUGE AND  
S.G. DIGE, JJ.)

DATE : APRIL 28, 2022

PER COURT :

1. The petitioner is a Member of the Non Teaching Staff with respondent Nos. 3 and 4. Despite service of Court Notice, respondent Nos. 3 and 4 have chosen not to appear in this matter.

2. The petitioner contends that there is a circular issued by the Government dated 10.06.2005, by which the Management can consider his case for appointment in the teaching category. He has already moved an application to the Management on 04.09.2019 requesting that the Management should abide by the Government Resolution dated 10.06.2005 and issue an appointment order to the petitioner in

the teaching category. The learned Advocate places reliance upon an order passed on 16.01.2019 by this Court in **WP No.2742/2018** filed by **Farooq Gafoor Shaikh Vs. Education Officer (Secondary) and others**, wherein the proposal of the petitioner was directed to be considered by the Education Officer in terms of Clause 8 of the said GR. A similar direction was issued by order dated 11.04.2019 in WP No.4554/2019 filed by Mr.Bharat Baburao Auti Vs. State of Maharashtra and others.

2. The learned AGP representing the Education Officer submits that the Education Officer has still not received any proposal for appointment from the Management. If such proposal is forwarded, the Education Officer would consider the same in the light of Clause No.8 of the GR dated 10.06.2005.

3. In view of the above, this petition is disposed off.

4. We direct respondent Nos.3 to consider the application filed by the petitioner dated 04.09.2019 in the light of the GR dated 10.06.2005 and take a decision as expeditiously as possible and in any case on or before 30.06.2022. The decision so taken, would be communicated to

the petitioner in writing on or before 15.07.2022. Needless to State, if the petitioner has any grievance about the said decision, he would be at liberty to avail of a remedy as may be permissible in Law.

4. In the event, the Management is pleased to appoint the petitioner and forward the proposal to the Education Officer, respondent No.2 shall decide the said proposal within 30 days from the date of its receipt.

( S.G. DIGE, J. )

( RAVINDRA V. GHUGE, J.)