

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

**WRIT PETITION NO.8186 OF 2021
ASHA GANU JADHAV
VERSUS
THE STATE OF MAHARASHTRA THR ITS SECRETARY AND
OTHERS**

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Advocate for Petitioner : Mr. V. S. Panpatte
AGP for Respondent No.1: Ms. Vaishali Patil Jadhav
Advocate for Respondent Nos. 3 & 4 : Mr. M. P. Tripathi

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**CORAM : C. V. BHADANG AND
SANDIPKUMAR C. MORE, JJ.
DATED : 28 JUNE 2022.**

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P. C. :

This petition can be disposed of on a short count. By this petition, the petitioner is seeking direction to respondent No.3 management to submit the name of the petitioner against the post carrying 40% salary grants as the petitioner is the senior most amongst the employees working with respondent No.4 school.

2. The learned counsel for the petitioner pointed out the letter dated 21 February 2022 from the Education Officer directing the management to send the name of the senior most employee for approval against the post carrying 40% grant. The learned counsel for the petitioner states

that inspite of same, the name of one junior employee Mr. Raju Sitaram Rathod is being forwarded by the management.

3. The learned counsel for respondent management tried to justify the name of Mr. Raju Sitaram Rathod on the ground that he belongs to reserved category while the petitioner belongs to the open category. It also transpires during the course of hearing that the petitioner has sent a representation to the Education Officer dated 7 January 2022. The record also discloses that this court by an order dated 21 December 2021, had indicated that the Education Officer shall consider the seniority at the time of considering the proposal, if forwarded by the management. The learned counsel for the respondent management states that the proposal will be accordingly forwarded within a period of two weeks from today.

4. Upon forwarding of such proposal, the Education Officer shall consider such proposal along with the representation by the petitioner on its own merits and in accordance with the law with due regard to the seniority of the petitioner and the applicable rules. The petition is disposed of in aforesaid terms. No costs.

SANDIPKUMAR C. MORE, J.

C. V. BHADANG, J.