

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

936 WRIT PETITION NO.1983 OF 2021

ABHIMAN SANTRAM JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Mr. S. R. Kedar, Advocate for the petitioner
Mr. S. G. Karlekar, AGP for the respondents State

CORAM : A.S. GADKARI & S. G. MEHARE, JJ.

DATE : 25th January, 2022

ORDER:

1. Heard learned counsel for the petitioner. Perused record annexed to the petition.
2. By the present petition, the petitioner has prayed for writ of certiorari impugning communication dated 16.01.2020 issued by respondent No.2. By the impugned communication, respondent No.2 has rejected the claim of the petitioner to absorb him in service as a teacher in the school run by Zilla Parishad, Beed. Reason given is that, the petitioner is untrained (unqualified) teacher and is not eligible as per guidelines issued by various Government Resolutions in that behalf.
3. Perusal of record indicates that, this is second round of litigation. The petitioner had earlier preferred Writ Petition No. 70121/2019 before this Court for certain directions. This Court by an Order dated 13th June, 2019 directed respondent No.2 to consider representation of the petitioner within stipulated period.

Respondent no.2 has accordingly considered it and by the impugned communication, has rejected the claim of petitioner.

4. During the course of arguments, upon a query put up by this Court, the learned counsel for the petitioner fairly admitted the fact that, the petitioner is an 'untrained teacher'. He however contended that, in view of Government Resolutions dated 27.09.2011 and 01.03.2014, since the petitioner has successfully cleared his 12th standard examination successfully he is eligible to teach students from 1st to 4th standards in Residential School, scheme of which is floated by the Government of Maharashtra for the students from lower social and economical strata of the society.

5. As it is a an admitted fact on record that, the petitioner is untrained teacher and according to us, does not have requisite qualification to teach the students even from residential school, we find that communication dated 15.01.2020 issued by respondent no.2 is well within conformity of provisions of law and Government Resolutions issued by the Government of Maharashtra from time to time in that behalf.

6. Petition being *de hors* of merits is accordingly dismissed.

(S. G. MEHARE, J.)

(A.S. GADKARI, J.)

JPC