

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

279 WRIT PETITION NO.10638 OF 2022

MAHILA MANDAL SANSTHA THROUGH ITS SECRETARY RAJESH
RAMESH KULKARNI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...
Advocate for Petitioners : Mr. Ruchir Subodh Wani
AGP for Respondents 1 to 4: Mr. P.S. Patil
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 19th OCTOBER, 2022.**

PER COURT :-

1. Leave to correct the description of respondent No.4. The correction be carried out forthwith.
2. Petitioner No.2 claims to be the senior most teacher in the Voluntary Arts, Commerce and Science Junior college, Shahada. Petitioner No.1 is an educational Trust, which supports the petitioner No.2. The grievance is that respondent No.3 has not granted permanent approval to the appointment of petitioner No.2 as Principal of the College. A temporary approval for three months is being granted.
3. The learned A.G.P. submits that if the petitioners prefer a fresh proposal, setting forth the details of selection and appointment of

petitioner No.2 alongwith the approved seniority list of the teachers indicting that petitioner No.2 is the senior most teacher, respondent No.3 would consider the said proposal on it's own merits.

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

5. Let petitioner No.1 file a fresh proposal, complete in all respects, to respondent No.3, on or before 30.11.2022. Respondent No.3 shall thereafter, consider the proposal on it's own merits and strictly as per the seniority of the teachers. Let this exercise be completed on or before 31.01.2023.

6. Needless to state, if the proposal of the petitioners is legally justified and there is no impediment, respondent No.3 may consider granting permanent approval in accordance with the Rules of appointment of Principal.

7. We make it clear that we have not expressed any opinion on the merits of the claim canvassed by petitioner No.2.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/