

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

**956 CIVIL APPLICATION NO.14211 OF 2022
IN
WP/5530/2018**

**KAILASH BHIMRAO GAJHANS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS**

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Advocate for Applicant: Mr. S. R. Kolhare
AGP for Respondent Nos.1 to 3: Mr. A. R. Kale
Advocate for Respondent Nos.4&5:
Ms.Akshara Madake h/f. Mr. S. S. Thombre

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**CORAM: RAVINDRA V. GHUGE
AND
ARUN R. PEDNEKER, JJ.**

DATE: 07th OCTOBER, 2022

PER COURT:

1. On the basis of a purported compromise between the applicant and the private management, the applicant prays that the management should appoint him provisionally on a vacant post since the compromise would bind the Education Officer since the Education Officer insisted that the applicant be appointed.

2. We do not accept that a compromise between the two private parties would bind the Education Officer. The Petitioner has been terminated from service. He has approached this Court by preferring a Writ Petition for challenging the refusal of approval by the Education Officer. A prayer for reinstatement in service on a vacant post purportedly reserved for the SC category, is set out at prayer clause B-1.

3. In view of the above, this Civil Application is rejected.

4. List the Writ Petition for admission on 15.11.2022.

[ARUN R. PEDNEKER, J.]

[RAVINDRA V. GHUGE, J.]

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