

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

28 WRIT PETITION NO.10254 OF 2019

**AVINASH SADASHIV HAJARE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Petitioners : Mr. Ajay G. Talhar
AGP for Respondent / State : Mr. K.N. Lokhande

....

**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 19-09-2022

PER COURT :

. Heard.

2. The petitioner no.1 was appointed by the petitioner no.2 Management. The approval to the appointment has been turned down by the order under challenge passed by the Education Officer on various grounds including that the recruitment has not been conducted in accordance with law.

3. On our query to learned advocate Mr. Talhar as to if the Management had intimated the Education Officer before undertaking the process of recruitment, as is contemplated under Section-5 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 read with Rule-9 of the Maharashtra Employees

of Private Schools (Conditions of Service) Rules, 1981. Mr. Talhar could not point out any tangible proof regarding such intimation having ever been given to the Education Officer.

4. In the circumstances, we find no illegality in the impugned order of the Education Officer.

5. The writ petition is dismissed.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)