

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

WRIT PETITION NO. 12754 OF 2021

GUND SIDDHARTH SURESH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....
Shri. Shivaji T. Shelke, Advocate for the petitioner
Shri. P. S. Patil, AGP for respondent/State
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CORAM : C. V. BHADANG
AND
SANDIPKUMAR C. MORE, JJ.

DATE : JULY 15, 2022

PER COURT : -

1. The challenge in this petition is to the communication dated 28.10.2021 issued by the respondent-Education Officer (Secondary), Zilla Parishad, Ahmednagar, by which the Education Officer has communicated that in view of the Government orders, the individual proposal for grant of sanction to the teaching and non-teaching staff cannot be processed and, therefore, by the communication of an omnibus nature the Managements and the Headmasters of the schools in the Ahmednagar district have been asked not to submit any such proposals for approval.

2. The only contention raised on behalf of the petitioner is that the Education Officer is required to consider and process the proposals on case to case basis and the impugned order by which the Managements and the Headmasters are prohibited from sending such proposals and the refusal by the Education Officer, is not justified.

3. Upon hearing the learned counsel for the parties, we do find that it is for the Education Officer to consider the individual proposals on case to case basis and the proposals cannot be either rejected or refused to be processed by communication requiring the office bearers of the Management or the Headmasters of the schools in the entire district not to send such proposals. In that view of the matter, we direct the respondent – Education Officer to consider the proposal sent seeking individual approval to the appointment of the petitioner on it's own merits and in accordance with law, within a period of eight (08) weeks from today.

4. The petition is **disposed of** in the aforesaid terms.

SANDIPKUMAR C. MORE, J.

C. V. BHADANG, J.