

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.14187 OF 2018**

SHRIKANT NILKANTHRAO MANJARMKAR ..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. V. S. Panpatte, Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondents-State.

Mr. H. S. Bali, Advocate for Respondent Nos.5 and 6.

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**CORAM : S. V. GANGAPURWALA &
S. G. DIGE, JJ.**

DATED : 01st MARCH, 2022.

PER COURT:-

1. The approval granted to the appointment of the petitioner by the Education Officer is canceled by the Deputy Director of Education under the impugned order.

2. The reasons for canceling approval is that, the backlog of reserved category candidate exists. The petitioner was appointed from General category.

3. Mr. Panpatte, learned counsel for the petitioner submits that, on the relevant date there was vacancy of one OBC post and one NT-B post. At the same time two posts were meant for General category candidates. The roster was verified. Subsequently, backlog has also been filled in.

4. We have heard the learned A.G.P. also.

5. The roster verified on 15.10.2011 states that, there are 17 posts sanctioned. 13 posts are filled in. Out of that 13 posts, one post is reserved for OBC and one for NT-B and two posts kept for General category. The petitioner was appointed from General category. Even the post for reserved category has been filled in. Subsequently, roster verified in 2018 also clarifies the same.

6. In view of the above, the impugned order is quashed and set aside.

7. In view of the fact that impugned order is quashed and set aside, the consequences shall follow.

8. Writ Petition is disposed of. No costs.

(S. G. DIGE)
JUDGE

(S. V. GANGAPURWALA)
JUDGE