

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 864/2019

Prashant Sadashivrao Pande,
aged about 44 years, Occ. Service,
R/o Dharmakshetra, Ganesh Nagar, Umarkhed,
Tah. Umarkhed, Dist. Yavatmal.

PETITIONER

.....VERSUS.....

1. State of Maharashtra, through its Secretary,
School Education and Sports Department,
Mantralaya, Mumbai-32.
2. Deputy Director of Education, Amravati Division,
Amravati.
3. The Education Officer (Secondary),
Zilla Parishad, Yavatmal.
4. Anglo Vernacular Education Society,
through its Secretary, Umarkhed, Dist. Yavatmal.
5. Sakle Vidyalaya, through its Headmaster,
Umarkhed, Dist. Yavatmal.

RESPONDENTS

Shri Anand Parchure, counsel for the petitioner.
Ms H.N. Jaipurkar, Assistant Government Pleader for the respondent nos.1 to 3.
Shri M.Y. Wadodkar, counsel for the respondent nos.4 and 5.

CORAM : A. S. CHANDURKAR AND SMT. M.S. JAWALKAR, JJ.

DATE : 24TH JANUARY, 2022.

ORAL JUDGMENT (PER : A.S. CHANDURKAR, J.)

Considering the reply filed on behalf of the respondent nos.4 and 5 the writ petition is taken up for hearing and decided finally by issuing **RULE** and making it returnable forthwith.

2. The petitioner claimed to be a Trained Graduate Teacher having obtained qualifications of B.A. and B.Ed. He is presently working as Assistant Teacher at the respondent no.5-School. It is his case that he is entitled to be placed in the Trained Graduate Teacher quota which is at 25% of the total teaching staff. Such claim is made from the year 2012.

3. In the reply filed by the respondent nos.4 and 5 it has been stated that one Assistant Teacher Shri D.B. Kude who was discharging duties as a Trained Graduate Teacher expired in June-2021 and hence the said post is now lying vacant. The respondents have indicated their willingness to send the name of the petitioner for being approved on that post which forms part of the trained graduate quota.

4. In view of aforesaid, the grievance made by the petitioner can be redressed by issuing following directions:

(I) The respondent nos.4 and 5 shall send a proposal seeking approval to the placement of the petitioner as Trained Graduate Teacher in 25% quota within a period of three weeks from today.

(II) The Education Officer (Secondary) shall within a period of four weeks from receipt of that proposal take a decision on the question of grant of approval. The decision taken be communicated to the petitioner. The proposal be decided on its own merits and in accordance with law.

5. Rule is made absolute in aforesaid terms. No costs.

(SMT. M.S. JAWALKAR, J.)

(A.S. CHANDURKAR, J.)

APTE