

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

905 WRIT PETITION NO.13182 OF 2022

**VIJAY GANGADHAR SHINDE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS**

...
Advocate for Petitioner : Mr. Jadhavar Santosh S.
AGP for Respondents/State : Mr. V.M. Kagne
Advocate for R/3 & 4 : Mr. Amol Kakade
...

**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRADE, JJ.
DATE : 4th November, 2023**

PC. :-

1. This matter was heard for some time in the first session. Noting that the impugned order has its inherent legal defects, the learned AGP sought a pass-over to take instructions. The matter was called out after lunch and the learned AGP pointed out that the impugned order dated 08.12.2022 will be withdrawn by Shri Ashok Kadus, Education Officer (Secondary), Zilla Parishad, Ahmednagar and he shall decide the pending proposal, as to who should be the Principal of the school, on its own merits and by considering the provisions of law.

2. The learned advocate for the Petitioner submits that the Education Officer be directed to decide the said issue within eight days. The learned AGP

submits that considering the Diwali Vacation, at least sixty days may be granted.

3. The learned advocate Shri Kakade representing the Respondent No.3-Management submits that the Petitioner has to comply with certain formalities and there should be no difficulty.

4. In view of the above, **this petition is disposed off** by recording that the impugned order dated 08.12.2022 stands withdrawn. The proposal forwarded by the Management shall be considered on its own merits, within thirty days from today. All contentions of the stakeholders are kept open.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]