

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION (WP) 949/2022

1. National Urdu Education and
Welfare Society, Murtizapur,
through President, District: Akola.
 2. National Urdu High School,
Murtizapur, District: Akola,
Through Headmaster
- PETITIONER(S)

// VERSUS //

1. State of Maharashtra,
through Secretary, School Education
and Sports Department,
Mantralaya, Mumbai-440032
 2. Director of Education,
Central Building,
Dr. Annie Besan Road,
Pune-411001.
 3. Deputy Director of Education,
Amravati Division, Amravati.
 4. Education Officer (Secondary),
Zilla Parishad, Akola.
- RESPONDENT(S)

Mr. A.C. Dharmadhikari, Advocate for the petitioners
Mrs. K.S. Joshi, Addl. GP for the respondents

**CORAM : ROHIT B. DEO AND
Y.G. KHOBRAGADE, J.J.**

DATED : 22/02/2023

ORAL JUDGMENT : (PER:- ROHIT B. DEO, J.)

Rule. Rule made returnable forthwith. Heard finally by consent.

2. The facts lying in narrow compass.

3. The petitioner - Management sought approval to the appointment of one Mr. Mohd. Athar Jamil Mohd. Razique as Assistant Teacher.

4. We are not required to delve in the chequered history. Suffice it to note, that the petitioner – Management approached this Court in Writ Petition 4177/2018, which came to be disposed of on 27.08.2019 with direction that the proposals/applications dated 29.12.2016 and 04.01.2017 submitted for approval be considered by the Education Officer. The Education Officer did not act and the petitioner-Management invoked the contempt jurisdiction. During the proceedings in contempt petition, the Education Officer came up with the stand that the decision is already taken.

5. Perusal of the decision dated 16.09.2019 rendered by the Education Officer reveals that the findings recorded is that there was no vacant post of Assistant Teacher as per Staffing Pattern applicable in 2016-2017. The Education Officer further noted the grievance of the petitioner – Management that the Staffing Pattern needs correction or

revision. However, the said grievance is not addressed on the premise that the matter lies in the domain of the Director of Education.

6. It appears that the petitioner – Management has submitted applications/representations dated 15.09.2021 and 03.01.2022 requesting the Director of Education to consider the correction or revision in the Staffing Pattern, to which there is no response. We find that present grievance of the petitioner - Management shall stand sufficiently addressed, if the Director of Education is directed to decide the applications/representations dated 15.09.2021 and 03.01.2022 expeditiously.

7. We order the Director of Education to decide the applications/representations dated 15.09.2021 and 03.01.2022, after hearing the petitioners, as expeditiously as possible and in any event, within the next eight weeks.

8. The petition stands partly allowed in the aforestated terms.

9. The petitioners shall appear before the Director of Education on 03.03.2023 at 11.00 a.m.

**SANDIP
MAHADEV
GATE**

(Y.G. KHOBRADE, J.)

(ROHIT B. DEO J.)