



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3356 OF 2024

Deepali Ramesh Pawar

VERSUS

The State Of Maharashtra Through Its Principal Secretary And Others

Mr. S. S. Thombre, Advocate for the Petitioner

Mr. P. K. Lakhotiya, AGP for Respondent/State

Mr. R. K. Ingole, AGP for Respondent No. 3.

**CORAM : RAVINDRA V. GHUGE AND
R. M. JOSHI, JJ.**

DATE : 1st April, 2024

PER COURT :-

1. The learned Advocate for the Petitioner submits, on instructions, that the Petitioner seeks leave to delete Respondent Nos.5 to 9, as well as prayer clause 'C'. Leave to delete at the risk of the Petitioner. Amendment be carried out within one week.

2. The learned AGP submits in response to prayer clause 'B' that the Petitioner has not made out a case of any candidate lower in order of merit qua the Petitioner, who has been appointed as a teacher from the ST category. The Petitioner also does not have this data. The only case canvassed by the Petitioner is that there are several vacancies of teachers from the ST category and if the Petitioner is noticed to be in the order of merit and eligible to be appointed, Respondent No.2 would

consider it.

3. It goes without saying that if a candidate is eligible for appointment and if the Authorities conclude that the appointment order has to be issued in accordance with the rules applicable, such appointment order can be issued by the said Authority. As such, if the Petitioner is found to be eligible for appointment as a teacher from the ST/woman category and there is no other legal impediment, Respondent No.2 would follow the due procedure and issue an appropriate order.

4. With the above observations, **this Writ Petition is disposed off.**

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

ssp