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

WRIT PETITION NO. 3844 OF 2024

MAROTI BHAGANNA CHONDIKAR

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS**

....

Mr A. V. Patil Indrale, Advocate for Petitioner;

Mr S. K. Tambe, A.G.P. for Respondents/State

CORAM : RAVINDRA V. GHUGE

AND

R. M. JOSHI, JJ.

DATE : 16th April, 2024

PER COURT:

1. The grievance of the Petitioner is that, a proposal forwarded by the Management/Janta Shikshan Prasarak Mandal, Umardari, Tq. Mukhed, Dist. Nanded, dated 06/02/2024, seeking approval to the posting of the Petitioner as the 'Headmaster' of the School, has been kept pending on account of the applicability of the Code of Conduct due to the General Elections.

2. The learned A.G.P. has taken instructions and submits that, a co-employee, namely, Shri. M. G. Jadhav is senior to the

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Petitioner and while considering the proposal, the claim of Shri. Jadhav will also have to be taken into account. Moreover, Shri. Jadhav has already been vested with the jurisdiction of taking decisions on day-to-day basis for and on behalf of the School, including signing and clearing the pay-bills.

3. In view of the above, **this Writ Petition is disposed off.** Let Respondent No.3/ Education Officer (Secondary), Zilla Parishad, Nanded, deal with the proposal of the Petitioner, dated 06/02/2024, on its own merits and by following the due procedure laid down in law. He would meticulously scrutinize all the documents and the records concerned with the said proposal and arrive at a decision by taking into account objections or rights of other parties, including the seniority of the teachers. Let such decision be arrived at on or before 31/05/2024, since the Petitioner would be superannuating on 30/06/2024.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

sjk