



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7382 OF 2024

Chandusing s/o Bankatsing Lodh

... PETITIONER

VERSUS

1. The State of Maharashtra,
through it's Principal Secretary,
Sports and Education Department,
Mantralaya, Mumbai-32.
2. The Deputy Director of Education,
Latur Region, Latur.
3. The Education Officer (Secondary),
Zilla Parishad, Nanded.
4. Krushnamai Vidya Mandir,
Secondary School, Balegaon,
Tal. Umri, Dist. Nanded
through it's Head Master

... RESPONDENTS

...

Advocate for the Petitioner : Mr. Wakade Ramesh I.
AGP for Respondents: Ms. Priya Bharaswadkar
Advocate for Respondent No.4 : Mr. D.A. Karnik

...

CORAM

: MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.

DATE

: 16.07.2024

PER COURT:

The petitioner who was appointed as Assistant Teacher on unaided basis on 11.08.2014 is aggrieved by the impugned order, whereby, the Education Officer (Secondary) has granted approval from a future date.

2. This issue is no more *res integra*. In several matters it has been addressed and has been held that the service rendered on an unaided post should be tagged with the subsequent posting as a Shikshan Sevak. The approval ought to have been granted from the initial date of appointment that is 11.08.2014.

3. Suffice for the purpose to refer to the decisions in the matter of **Suryakant S/o Janardan Muge Vs. The State of Maharashtra and Ors.;** (WP No.1493/2018 with connected matters) decided on 04.07.2024, **Dilip Venkatrao Boienar Vs. The State of Maharashtra and Ors.;** (WP No.7841/2019) decided on 08.08.2019, **Rupali Nandkumar Rasane Vs. The State of Maharashtra and Ors.;** (WP No.5434/2022) decided on 14.06.2022 and **Sachin s/o Nanasaheb Patil Vs. The State of Maharashtra and Ors.;** (WP No.5934/2024) decided on 21.06.2024.

4. The writ petition is allowed partly. The impugned order is quashed and set aside. The matter is remitted back to the respondent No.3 – Education Officer who shall pass a fresh order in the light of the aforementioned decisions for granting approval from the initial date of appointment as Assistant Teacher that is 11.08.2014. The decision shall be taken as expeditiously as possible and in any case within four weeks.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)