



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

932 WRIT PETITION NO.9759 OF 2021

1. Netaji Subhash Shikshan Sanstha
Manwat, Tq. Manwat,
Dist. Parbhani,
Through its Secretary.
2. Swati Atul Datar @ Swati
Rajeshwarrao Deshmukh,
Age: 50 years, Occu.: Service,
R/o. Yashwant Nagar, Selu,
Tq. Selu, Dist. Parbhani.

.. PETITIONER

VERSUS

1. The State of Maharashtra
Through Secretary,
School Education and Sports
Department, Maharashtra State,
Mantralaya, Mumbai.
2. Deputy Director of Education,
Aurangabad Division, Aurangabad.
3. Education Officer (Secondary)
Zilla Parishad, Parbhani.
4. N. D. Wankhede,
Age: Major, Occu.: Service,
R/o. C/o. Netaji Subhash Vidyalyaya,
Pathri, Tq. Pathri, Dist. Parbhani

.. RESPONDENTS

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Mr. Jaydeep Kadam h/f Mr. V. D. Salunke, Advocate for the Petitioner.
Mr. K. N. Lokhande, AGP for Respondent Nos.1 to 3 – State.
Mr. L. H. Kawale h/f Mr. Kamlakar J. Suryawanshi, Advocate for
Respondent No.4.

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**CORAM : MANGESH S. PATIL AND
SHAILESH P BRAHME, JJ.**

DATE : 12 JUNE 2024

ORDER :-

Heard both the sides.

2. Petitioner is challenging the order dated 30.07.2021 issued by the respondent No.3 Education Officer granting temporary approval to the respondent No.4 for certain administrative purposes.

3. During the pendency of this petition, it is informed that respondent No.4 attained age of superannuation.

4. It reveals that petitioner No.2 was appointed to the post of regular Headmistress and the proposal was submitted vide letter dated 5 July 2021. Management addressed a letter dated 2 July 2021 to the Education Officer seeking appointment of respondent No.4 for administrative purposes. Considering these two communications, the impugned order was passed. In this situation, the proposal for the appointment of the petitioner No.2 to the regular post of Headmistress can be considered afresh by the respondent No.3 Education Officer on its own merits. The decision shall be taken by the Education Officer within a period of four weeks after hearing the concerned parties, on its own merits.

5. The writ petition is disposed of.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm