



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.9935 OF 2023

Asmabegum D/o Ayajmiyan Untwale ... PETITIONER

VERSUS

1. The State of Maharashtra
through its Secretary's
School Education Department
Mantralaya, Mumbai – 32
2. The Education Officer (Secondary)
Zilla Parishad, Latur, Dist. Latur
3. The President, Shyamlal Smarak
Shikshan Sanshtha, Udgir Dist. Latur
4. The Headmaster, Shyamlal Memorial
High School, railway station road,
Udgir, Dist. Latur.

... RESPONDENTS

...

Advocate for the Petitioner : Mr. Kale Gopal D.

AGP for Respondents: Mrs. K.B. Patil - Bharaswadkar

Advocate for Respondents No.3 and 4: Mr. K.P. Rodge and Adv. P.G. Rodge

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

DATE : **11.06.2024**

PER COURT:

We have heard both the sides.

2. The petitioner is aggrieved by the impugned communication addressed by the respondent No.2 – Education Officer (Secondary) Zilla Parishad, Latur to the respondent No.4 - Headmaster dated 18.07.2023 refusing to grant approval by pointing out nine shortcomings in the proposal.

3. The learned advocate for the respondent – Management submits that pursuant to the query raised in the impugned communication, attempt has been made by the Management to overcome the shortcomings and the proposal has been forwarded on 06.05.2024 to the Education Officer.

4. In the light of the above, it would be appropriate that the Education Officer is called upon to re-examine the proposal in the light of the subsequent compliance stated to have been made by the Management and to take a fresh decision on the proposal seeking grant of approval to the petitioner's appointment.

5. The writ petition is allowed partly. The impugned communication (**Exhibit-J**) is quashed and set aside.

6. The matter is remitted back to the respondent – Education Officer (Secondary) who shall reconsider the proposal in the light of the compliance made by the Management vide its communication dated 06.05.2024 and received by his office on the same date.

7. The decision shall be taken as expeditiously as possible in accordance with law and in any case within eight weeks.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)