

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11356 OF 2023

Al Falah Educational And Welfare Society Through Its Secretary And
Another

VERSUS

The State Of Maharashtra Through Principal Secretary And Others

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Advocate for the Petitioners : Mr. Kazi S.S.

AGP for Respondent/State : Mr. A.S. Shinde

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**CORAM : S.G. MEHARE &
S.G. CHAPALGAONKAR, JJ.**

DATED : DECEMBER 17, 2024

PER COURT :

1. Heard Mr. Kazi, learned Advocate appearing for the petitioners and Mr. Shinde, learned AGP for the State.
2. The petitioners impugn the communication dated 31.07.2023 issued by respondent no.3 thereby withdrawing the sanction for the post of Clerk in the school run by the petitioner.
3. Mr. Kazi submits that the impugned order is passed without hearing the petitioners. However, subsequently because of change of circumstances, a fresh proposal dated 01.08.2023 has been moved by the Management to the Education Officer (Secondary), Zilla Parishad, Jalna. The proposal points out that now, there is vacancy as to the post of Junior Clerk under establishment of the school. Consequently, petitioners' case can be considered against the vacancies available and the proposal can be reconsidered.

4. In view of these submissions, we dispose of the writ petition with a direction to the Education Officer (Secondary), Zilla Parishad, Jalna to consider and decide the proposal dated 01.08.2023 submitted by petitioners within a period of three months from today. The petitioners shall be at liberty to make comprehensive representation to the Education Officer in support of the pending proposal. The decision so taken be communicated to the petitioners.

5. It is made clear that the impugned order dated 31.07.2023 shall not prejudice the rights of the petitioners while deciding fresh proposal dated 01.08.2023.

(S.G. CHAPALGAONKAR, J.)

(S.G. MEHARE, J.)