



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

942 WRIT PETITION NO.15011 OF 2019

BHARAT PANDURANG DUMNE AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. V.A. Dhakne, Advocate for petitioners

Mrs. Manasi N. Ghanekar, AGP for respondent Nos.1 to 5

Mr. G.S. Patil, Advocate for respondent No.6

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CORAM : SMT. VIBHA KANKANWADI &
S.G. CHAPALGAONKAR, JJ.

DATE : 16th APRIL, 2024

ORDER :

1 Heard learned Advocate for the petitioners. The petitioners are seeking their repatriation to their original school at Chondi Phata, Tq. Sengaon, Dist. Hongoli at their original posts.

2 It appears that the present petitioners' original school was closed down and, therefore, they were temporarily absorbed in Ashram school, Akoli (Bk), Tq. Kelapur, Dist. Yeotmal by order dated 21.09.2016. It is on record

that now the original school of the petitioners at Chondi Phata has been recognized and it is functioning. It is now submitted across the Bar that those employees, who came to be absorbed in Chondi Phata school in place of the petitioners, have been now accommodated in their original school at Bhurbhushi, Tq. Bhokar, Dist. Nanded and, therefore, according to the petitioners posts are available in their original school Chondi Phata to accommodate them.

3 Taking into consideration those statements and the right, if the posts are available, then directions are required to be given to respondent Nos.2 to 4 to consider the request/representation of the petitioners taking into consideration Sub Rule (6) of Rule 26 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Rules, 1981 for their repatriation to their original school.

4 We dispose of the writ petition by giving directions to respondent Nos.2 to 4 to see posts are available with Chondi Phata school i.e. original school of the petitioners, which were earlier held by the petitioners, for repatriation and to consider their proposals dated 21.05.2018, 28.05.2019, 31.05.2019, 11.06.2019, 13.06.2019 etc.

5 Such decision be taken within a period of two months from

today and be communicated to the petitioners within a period of 15 days after taking such decision.

(S.G. CHAPALGAONKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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