

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 10708 OF 2024

Sandip Sidram More (Bhat) ... Petitioner
versus
State of Maharashtra and Others ... Respondents

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Mr.D.V.Sutar with Ms.Kavita Vijapure and Ms.Latika Kabad for the
Petitioner.

Mr.A.K.Naik, AGP for Respondent Nos. 1 and 2, State.

Mr.Prashant Bhavake for Respondent Nos. 3 and 4.

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CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 20TH DECEMBER, 2024

P.C.:

1. Having considered the submissions of the learned Advocates for the respective sides, we are informed that the Petitioner is now absorbed in the Navjeevan High School at Jaisingpur. The Petitioner is 'PPRP Right Upper Limb' affected and his locomotor disability is evaluated at 55%, by the Department of Empowerment of Persons with Disabilities vide Disability Certificate issued by the Medical Authority at Kolhapur, dated 16th November, 2006.

2. The learned Advocate for the Petitioner submits that a

liberty may be granted for the Petitioner to make an application, if any vacancy is available closer to his home town at Taluka Shirol, District Kolhapur, considering his disability and depending upon his seniority.

3. In view of the above, **this Writ Petition is disposed off.**

4. In the event, there is any availability of a vacancy for which the Petitioner can be considered provided his eligibility is in accordance with the Rules applicable, he may make an Application to the Education Department. The Department would consider the said Application taking into account all the relevant factors and the Rules and policies applicable. The Education Authorities will keep in mind that the Petitioner suffers from disability.

5. We make it clear that this liberty would not create a new cause of action.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)