



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.666 OF 2024

Yogesh S/o Bharat Phatangare	...Petitioner
Verses	
State Of Maharashtra And Ors.	...Respondents

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Adv. S. B. Talekar i/b Talekar & Associates for the Petitioner.
 Adv. B. V. Samant, Addl. GP a/w V. M. Mali, AGP for
 Respondent Nos. 1, 2 and 5.

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CORAM : BHARATI DANGRE &
ASHWIN D. BHOBE, JJ.
DATE : 2nd JANUARY, 2025

P. C. :-

1. As directed by the order dated 23rd January, 2024 asking the Petitioner to file an affidavit explaining the delay of six years since the Writ Petition was filed raising a grievance based on the communication, which was dated six years back, an affidavit has been filed.

We have satisfied with the explanation contained therein and we have heard Mr. Talekar, learned counsel for the Petitioner.

2. The grievance of the Petitioner pertain to the

inaction in not absorbing him in the wake of the Policy decision of the State Government to absorb the Special Teachers working under the Integrated Disability Education Scheme in a sanctioned post and vacant post in Primary Schools of Zilla Parishad.

Mr. Talekar has placed reliance upon the recommendations of the Special Investigating Team appointed by the School Education Department to enquire into the irregularities in absorption of the Special Teachers and by inviting the attention to the said record and in particular the appendix therein, which has included the name of the Petitioner as a Special Teacher who is recommended for absorption in Zilla Parishad School No. 2 Wadner Bhairav, Tal- Chandwad and describing this to be an irregularity, it is his submission that the Government must justify as to why he has not been absorbed.

3. This is the precise grievance raised in the Petition which seek a direction to the Respondents to absorb and appoint him as Assistant Teacher in the wake of the policy contained in resolution dated 15th September, 2010 issued by the Tribal Development Department and also in furtherance

of the directions issued by the Deputy Director of Education.

4. We issue notice to Respondent Nos. 3 and 4 returnable on **6th February, 2025**.

In addition to Court notice, Petitioner is also permitted to serve Respondent Nos. 3 and 4 by private notice.

Mr. Samant, learned AGP waives notice on behalf of Respondent Nos. 1, 2 and 5 and is directed to file response to the contentions raised in the Petition, in the background of the reliefs sought.

We direct, the affidavit to be filed in this regard within a period of four weeks from today with an advance copy being served upon the learned counsel for the Petitioner.

Re-notify to **6th February, 2025**.

To be listed on supplementary board.

(ASHWIN D. BHOBE, J.)

(BHARATI DANGRE, J.)