

Bombay High Court

Sanjay Gandhi Shikshan Prasarak ... vs State Of Maharashtra, Through Its ... on 6 August, 2019

Bench: S.B. Shukre

J-wp856.18.odt

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION No.856 OF 2018

1. Sanjay Gandhi Shikshan Prasarak Mandal,
Through its President,
Malegaon, Zilla Washim.
2. Veer Hutatma Vasudeo Balwant Phadke
Urdu High School, Through its Headmaster,
Malegaon, Zilla Washim.
3. Faizal Ahmed Khan s/o. Masood Khan,
Aged about 24 years,
Occupation : Teacher,
R/o. Gulshan Colony, Patur,
District Akola. : PETITIONER

...VERSUS...

1. State of Maharashtra,
Through its Secretary,
Department of Education and Sports,
Mantralaya, Mumbai-32.
2. The Deputy Director of Education,
Amravati Division, Amravati.
3. The Education Officer (Secondary),
Zilla Parishad, Washim. : RESPONDENTS

Shri Anand Parchure, Advocate for Petitioner.
Shri D.P. Thakare, Asstt. Government Pleader for Respondents.

CORAM : SUNIL B. SHUKRE AND
S.M. MODAK, JJ.

DATE : 6th AUGUST , 2019.

ORAL JUDGMENT : (Per : Sunil B. Shukre, J.)

1. Heard Shri Anand Parchure, learned counsel for the J-wp856.18.odt 2/2 petitioner and Shri D.P. Thakare, learned Asstt. Government Pleader for the respondents.
2. Heard. Rule. Rule made returnable forthwith. Heard finally by consent.
3. The issue involved in this petition is basically of the requirement of TET clearance for granting approval to the appointment of the petitioner No.3 as Shikshan Sevak in the school (petitioner No.2), run by the Society (petitioner No.1).
4. During the pendency of this petition, the petitioner No.3 has cleared the TET and, therefore, now it is not necessary to go into the question initially raised in this petition and accordingly we find that the petition can be allowed by issuing necessary direction to the respondents.
5. The petition is allowed.
6. The respondents are directed to grant approval to the appointment of the petitioner No.3 as Shikshan Sevak from the date of his appointment and release the arrears of salary and all other service benefits within a period of three months from the date of order.
7. Rule is made absolute in these terms. No costs.

okMksns

JUDGE

JUDGE