

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 827 OF 2009

Banjara Shikshan Prasarak Mandal
Khadgaon – Tanda, Tq. Mukhed,
Dist. Nanded through its President.

.... PETITIONER

V E R S U S

The State of Maharashtra & Oths.

.... RESPONDENTS

Mr. V.D.Salunke, Advocate for the Petitioners.

Mr. S.K.Kadam, Assistant Govt. Pleader for State.

**CORAM : NARESH H. PATIL &
S.V. GANGAPURWALA, JJ.**

DATE : 06/01/2011

PER COURT :

1. Heard.

2. In view of the submissions in the affidavit in reply filed by respondent no. 4 on 18/3/2010 in paragraph nos. 4 and 5, which are as under,

“4. I respectfully say and submit that the President of the Petitioner – Society has submitted proposal for attaching the XI and XII

Std. to senior college. The said standards were already attached to the High School. The proposal of the petitioner – society along with letter of the Education Officer (Secondary) Z .P, Nanded is being processed and same will be forwarded to the Government for appropriate decision.

5. I further respectfully say and submit that the petitioner – society runs High School at Shilavani Border, Tq. Degloor, Dist. Nanded to which the XI and XII standards were attached. Now the petitioner – society has submitted the proposal to shift and transfer the XI and XII std. to the Senior College run by the same institution at Hanegaon, Tq. Degloor, Dist. Nanded. In view of this position, the post can not be allowed to be created because the staffing pattern changes once a proposal for shifting and attaching the standard from Secondary School to the senior college is submitted ”

it would be appropriate to wait till the State takes decision. The petition would be heard after the decision is taken by the State. It is clarified that the pendency

of the Petition would not come in the way of the State in taking decision. Stand over for ten (10) weeks i.e. 17/03/2011. The parties to act upon copy of this Order duly authenticated by the Court Shirastedar.

[S.V. GANGAPURWALA, J.]

[NARESH H. PATIL, J.]

knp/WP 827.2009