

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

WRIT PETITION NO. 2637 OF 2014

Devendra Ganpati Thomke & Ors. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 3148 OF 2014**

Kishore Valmik Desale & Ors. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 3405 OF 2014**

Vijay Babanrao Gavhale & Ors. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

**WITH
WRIT PETITION NO. 3652 OF 2014**

Sunil Shripatrao Shinde & Ors. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

Ms. Pranita P. Hingmire for petitioners in all petitions.

Ms. S.S. Bhende, AGP for respondent nos. 1 to 4.

**CORAM : ANOOP V. MOHTA
K.R. SHRIRAM, JJ.
DATED : 13TH APRIL, 2015**

P.C.

- 1 Rule made returnable forthwith and heard finally.
- 2 The learned AGP appearing for respondent nos. 1 and 4 read and

referred to an affidavit dated 25th July 2015 filed by respondent nos.1 to 3 whereby the Government Resolution dated 6th May 2014, the State Government decision is referred/reflected. The relevant portion is as under :

“..... However, the State Govt., i.e., the respondent no.1 have issued orders vide G.R.No.SSN-1007/(154/07)/TNT-2, dt.6th May 2014 (in Marathi) allowing the services rendered by the Non-Teaching employees in Aided Schools in any of the Unaided Schools or during the initial period when the school in question was unaided to count for computing 12 years qualifying service for the purpose of granting Time Bound promotion on certain conditions. Thus, the services rendered by the Petitioners in Unaided School or Unaided Period of the concerned Aided School can now be counted for the purpose of computing 12 years qualifying services on fulfillment of the conditions laid down therein. Under the circumstances, the petition of the petitioner becomes infructuous and does not deserve any consideration. A copy of the G.R. dated 6th May, 2014 is enclosed as Exhibit “A” for perusal and reference.

7.....

8 In the premises the prayers made by the petitioners in para 15 of the petition become infructuous by virtue of Govt. Orders issued in Govt. Resolution dated 6th May, 2014. Under the circumstances, I pray that the petition be disposed off with directions to decide the proposals in the light of orders issued vide G.R. dt. 6th May, 2014 with no orders as to costs.”

2 The learned counsel appearing for the petitioners conceded to the position that this resolution was issued after the orders were passed by this Court which are annexed to the petition and the same covers their case/grievance and therefore, the petitions can be disposed of. Therefore, we

are inclined to pass the following order :

(i) The petitioners in each petition to submit their respective proposals to the respondents within a period of four weeks from today in the light of the Government Resolution dated 6th May 2014.

(ii) The respondents to consider the proposals, if submitted by the petitioners, in accordance with law and if the petitioners are otherwise eligible, as early as possible.

3 The petitions are accordingly disposed of with liberty. All points are kept open. No costs.

(K.R. SHRIRAM, J.)

(ANOOP V. MOHTA)