

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

WRIT PETITION NO.6081 OF 2013

Shri Pralhad S/o Bhikaji Kaluse

..VS..

**The State of Mah., thr its Chief Secretary, School and Education and
Sport Department, Mantralaya, Mumbai and ors**

.....
Office Notes, Office Memoranda of
Coram, appearances, Court's orders
of directions and Registrar's orders
.....

Court's or Judge's order

**Shri S.D. Chande, counsel for the petitioner.
Shri C.N. Adgokar, AGP for R-1 to 3.**

**CORAM : B.P. DHARMADHIKARI &
A.S. CHANDURKAR, JJ.**

DATE : FEBRUARY 4, 2015.

Heard.

Despite service upon private respondents,
none appears for them.

Shri S.D. Chande, learned counsel for the
petitioner and Shri C.N. Adgokar, learned
Assistant Government Pleader for respondent
Nos.1 to 3 are seeking time.

However, we find that the petitioner
claims to be in employment since 1.8.1999.
The grievance is, he is not receiving salary as his
proposal for individual approval is still not

looked into.

The petitioner has annexed with this writ petition, Communication dated 23.7.2009 forwarded by the Education Officer to the Director of Education, Pune. The said Communication mentions that the petitioner has been working since 1.8.1999 when the School was not receiving any grant-in-aid. The proposal seeking approval to his appointment has been filed belatedly i.e. for the first time in the year 2008-07. The Education Officer, therefore, has sought guidance from the Director of Education on his view that, as the petitioner was appointed when the School was not receiving any grant-in-aid, approval of appointment could not have been granted. It appears that the Director of Education has not responded to this Communication.

In this situation, without observing anything on merits and keeping all rival contentions and defences available to the respondents in the matter open, we direct the respondents to take suitable decisions on Communication dated 23.7.2009 at Exh.X

(Page-16 of the Writ Petition) within three months from today. The decision shall be communicated to the petitioner by 31.5.2015.

With these directions and leaving all rival contentions open, we dispose of the writ petition. No costs.

In view of disposal of the writ petition, Civil Application (CAW) No.2996 of 2013 does not survive and the same is disposed of as such.

JUDGE

JUDGE

!! BRW !!