

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1494 OF 2016
IN
WRIT PETITION NO. 8188 OF 2013

ATUL NAMDEORAO GADHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Manoj Daud h/f Mr. C. K. Shinde
AGP for Respondent Nos. 1 to 3 : Mr. V. H. Dighe
Advocate for Respondent Nos. 4 and 5 : Mr. Kunal Kale h/f Mr A. S. Kale
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**CORAM : S. V. GANGAPURWALA AND
V. K. JADHAV, JJ.**

DATED : 17th MARCH, 2016

PER COURT :-

1. We have heard learned counsel for the applicant/petitioner. The applicant, vide present application, seeks direction against respondent No.2 to grant approval to his appointment as a permanent teacher w.e.f. 19.11.2008 and release the unpaid salary.
2. The writ petition is disposed of vide order dated 17.12.2014, wherein this Court had directed the respondent authorities to grant approval to the appointment of the petitioner as lecturer in English subject on permanent basis and the proposal for approval to his appointment shall not be rejected only on the ground that there is a backlog of ST category candidate. Pursuant to the order passed by

us, the respondents have decided the proposal and have granted approval with effect from the year 2014. Legality of the said order cannot be gone into in a civil application filed in the disposed of writ petition. The applicant/petitioner will have to assail the same by way of independent proceeding.

3. In light of that, we dispose of the civil application. The applicant/petitioner is at liberty to assail the said orders seeking permanency from the year 2008 in appropriate proceeding.

(V. K. JADHAV, J.)

(S. V. GANGAPURWALA, J.)

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