

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8666 OF 2014

Versus

Mr. M.A. Choudhari for the petitioner.

Ms. Nisha Mehra, AGP for the respondent no. 1 State.

Mr. R.B. Patil for respondent no. 2.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : SEPTEMBER 23, 2016.**

P.C.

By this petition, the petitioner has challenged the order dated 25.1.2008 Exh."F" passed by respondent no.1 whereby rejecting the proposal sent by respondent no.2 school for approval of the petitioner's appointment on the post of Peon under the reserved category. Having gone through the impugned order, we find that in the impugned order, no reasons have been assigned. The order is a non speaking order. In the circumstances, the same cannot be sustained. Accordingly, we set aside the impugned order Exh. F and direct the Education Officer to reconsider the proposal sent by respondent no. 2 for grant of approval

to the petitioner on the said post. Let the fresh decision as aforesaid be taken by respondent no. 2 within three months from the date of receipt of copy of this order. In case respondent no.1 is not inclined to accept the proposal in favour of the petitioner, a speaking order be passed. Petition stands disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)