

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12040 OF 2016

Mr Dhananjay Shinde

... Petitioner

v/s

State of Maharashtra and others

... Respondents

Ms Pavitra Manesh i/b Mr M.S. Topkar for Petitioner.

Mr Vikas Mali, AGP for Respondent - State.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.**

DATE : OCTOBER 18, 2016

P.C.:

1. Heard parties through their counsel.
2. Learned counsel for the Petitioner submits that the institution in which the Petitioner is appointed as Shikshan Sevak is a minority institution.
3. Having considered the submissions made by learned counsel for the parties and having gone through the averments made in the Petition as also the judgment dated 2nd September 2013 passed by the Division Bench in the case of Parbhani Education Society,

Parbhani v/s The State of Maharashtra in Writ Petition No.3707 of 2013, we are of the view that the question involved in this Petition has already been considered and decided by this Court vide order dated 31st March 2016 passed in the case of Vinod Laxman Shelkar and anr., v/s The State of Maharashtra and another, in Writ Petition No.2207 of 2016. In view of the aforesaid we dispose of the Petition in the following terms :-

O R D E R

- (i) The impugned order is quashed and set aside.
- (ii) Respondent No.3 is directed to consider afresh the proposal submitted by Respondent No.4 or approval of the appointment of Petitioner in the light of the observations made hereinabove.
- (iii) Respondent No.3 shall take decision as expeditiously as possible and in any case within a period of four weeks from the date of receipt of copy of this order.
- (iv) The parties shall act on the copy of this order duly authenticated by the Registry of this Court.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)