

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3093 OF 2016

Shri Rajendra Babanrao Mulik and anr. ..Petitioners
Versus
The State of Maharashtra through
the Secretary, School Education Department,
Mantralaya, Mumbai – 400 032 and ors. ..Respondents

Mr. N. V. Bandiwadekar i/b. Mr. Mandar G. Bagkar, advocate for the
petitioners.
Mr. P. G. Sawant, AGP for the State.

CORAM : RANJIT MORE,
DR. SHALINI PHANSALKAR-
JOSHI, JJ.

DATE : 15th APRIL, 2016.

P. C. :

Mr. Bandiwadekar, learned counsel for the petitioner submits that petitioner No.1 was initially appointed in non-aided school of petitioner No.2. Subsequently, he was transferred to aided institution of petitioner No.2, to which, approval is granted by respondent No.2. Petitioner No.1 thereafter is receiving salary regularly. A proposal was made by the Headmaster of the aided institution on 24th January, 2013, to respondent No.3 for pay-fixation of petitioner No.1. Mr. Bandiwadekar now makes a grievance that this proposal is not accepted by respondent No.3- for the reasons best to his knowledge. Mr. Sawant, learned AGP submits that appropriate orders may be passed.

2. In the above circumstances, the petition is disposed of by passing the following order :

1. The petitioner is at liberty to submit the copies of the proposal dated 24th January, 2013, made by the Headmaster of the aided institution to respondent No.3 within a period of two weeks from today.
2. Respondent No.3 shall decide the same in accordance with law as expeditiously as possible and preferably within a period of four weeks from the date of receipt of the proposal.
3. This order should not be construed as expression of any opinion on merits and respondent No.3 shall decide the proposal independently on its own merits and in accordance with law.

3. All concerned to act upon a copy of this order duly authenticated by the Registry of this Court.

(DR. SHALINI PHANSALKAR-JOSHI)

[RANJIT MORE, J.]