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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 13117 OF 2016

Peter Paul D'souza

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

Mr. Chetan G. Patil for the petitioner.

Mr. Vikas Mali, AGP for the State.

**CORAM : SHANTANU KEMKAR &
PRAKASH D. NAIK, JJ.**

DATED : NOVEMBER 24, 2016.

P.C.

Not on board. Taken on production board in view of the urgency.

2. Parties through their Counsel.

3. The grievance of the petitioner is that the proposal submitted by respondent No.5 for seeking approval to the appointment of the petitioner on the post of 'Shikshan Sevak' is pending before respondent No.3 since 07/11/2014, but till date, no decision has been taken on it. The petitioner submits that the question involved in this Petition has already been considered and decided by the Division Bench of this Court (Bench at Aurangabad) in the case of St. Francis De Sales Education Society and ors. Vs.

The State of Maharashtra and ors. in Writ Petition No. 5547 of 2013
by order dated 30/09/2013.

4. Learned Counsel for the petitioner made a limited prayer that this Petition may be disposed of by directing respondent No.3 to examine the said proposal and take appropriate decision keeping in view the law laid down by this Court in the case of St.Francis De Sales Education Society and ors. (supra).

5. Having regard to the aforesaid limited prayer, this Petition is disposed of by directing respondent No.3 to examine the said proposal submitted by respondent No.5 keeping in view the law laid down by St.Francis De Sales Education Society and ors. (supra).

6. The decision as aforesaid be taken within 3 months from the date of receipt of copy of this order.

7. Petitions is disposed of.

8. Parties to act upon authenticated copy of this order.

(PRAKASH D. NAIK, J.)

(SHANTANU KEMKAR, J.)