

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.976 OF 2016

[Devidas s/o Amruta Helode .vs. State of Maharashtra and others]

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

 Ms. Akshaya M. Kshirsagar, counsel for the petitioner,
 Shri Nikhil Joshi, A.G.P. for the respondent nos.1 and 5.

CORAM : SMT. VASANTI A. NAIK AND
V.M. DESHPANDE, JJ.

DATED : MARCH 15, 2016.

By this writ petition, the petitioner seeks a direction to the respondent nos.2 and 3 to promote the petitioner on the post of Junior Clerk in accordance with the rules.

According to the petitioner, the petitioner is working on the post of office Peon and is entitled to be promoted on the post of Junior Clerk as per the Special School Code and the schedule to the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981. According to the petitioner, though the petitioner is the senior-most Peon in the respondents' Deaf and Dumb Institute and the post of Junior Clerk is lying vacant since the year 2010, the respondent nos.2 and 3 have not promoted the petitioner on the post of Junior Clerk. It is stated that the petitioner has made representations since the year 2011-2012, but they are not yet decided.

Though the notice of final disposal was issued to the respondents and though the respondent nos.2 and 3 are duly served, none appears on behalf of the respondent nos.2 and 3. In this background, it would be necessary to direct the respondent nos.2 and 3 to consider the application of the

petitioner for promotion to the post of Junior Clerk and pass appropriate orders in regard to the promotion, in accordance with law.

In the circumstances of the case, we dispose of the writ petition with a direction to the respondent nos.2 and 3 to decide the application of the petitioner for promotion to the post of Junior Clerk as early as possible and positively within a period of six weeks. Order accordingly. No costs.

JUDGE

JUDGE

Gulande