

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

WRIT PETITION NO. 3585 OF 2015

Nanaji Kisan S/o Gajbhiye and others

-vs-

State of Maharashtra, through Department of School Education and another

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.M.Gordey, Senior Counsel assisted with Mrs. R.D.Raskar, counsel for the
petitioners.

Mr.A.V.Palshikar, AGP for the respondent Nos.1 and 2.

CORAM : SMT. VASANTI A. NAIK &
A.S.CHANDURKAR, JJ.

DATE : 03.03.2016.

Heard.

The petitioners have challenged the communication dated 25/11/2014 issued by the respondent No.2 thereby refusing to grant approval to the appointment of the petitioner No.1. In the impugned communication, it has been stated that at the relevant point of time the post in question was not sanctioned and that the workload was not available.

Shri A. M. Gordey, the learned Senior Counsel along with Mrs. R.D.Raskar, the learned counsel for the petitioner, submits that during pendency of the present writ petition, by communication dated 07/10/2015, the petitioners had been informed that the post in question now stands sanctioned from the academic year 2014-15. It is, therefore, submitted that the petitioner Nos.2 and 3 would move a fresh proposal in these changed circumstances and the matter could be considered by the respondent No.2.

In this background, Shri A.V.Palshikar, the learned Assistant Government Pleader for the respondent Nos.1 and 2, on instructions, submits that if the petitioner No.2 submits a fresh

proposal for grant of approval to the appointment of the petitioner No.1, the same shall be considered in accordance with law.

In view of aforesaid, if the petitioner No.2 submits a fresh proposal for grant of approval to the appointment of the petitioner No.1 within a period of 15 days from today, the same shall be considered by the respondent No.2 in accordance with law expeditiously.

The writ petition is disposed of in the aforesaid terms. No costs.

JUDGE

JUDGE