

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 1785 OF 2017

Rajesh Marutirao Suryawanshi

Petitioner

V E R S U S

The State of Maharashtra, through
Secretary, Social Justice &
Special Assistant Department,
Mantralaya, Extn. Mumbai & five
others

Respondents

Mr. S.V. Warad, Advocate for the petitioner

Mr. S.B. Yawalkar, A.G.P. for

respondent Nos.1 to 5/State

Mr. V.M. Lomte, Advocate for respondent No.6

**CORAM : S.V.GANGAPURWALA AND
SANGITRAO S. PATIL, JJ.**

DATE : 4th MAY, 2017

PER COURT :

1. Learned counsel for the petitioner submits that the petitioner has submitted an application for voluntary retirement on 29th August, 2016. The School is de-recognized under order dated 10th February, 2017. However, with effect from 20th August, 2016 in the said order of de-recognition, directions are issued to absorb the employees therein.

2. The contention of the learned A.G.P. is that the proposal has to be submitted through the appointing authority and at present the School is de-recognized. The Institution is represented by the Workshop-Superintendent. It is stated that even the tenure of the administrator is over and the proposal is pending for extension of his tenure as administrator.

3. Considering the aforesaid situation, we pass the following order :-

O R D E R

a. The respondent No.6 shall forward the proposal/application of the petitioner seeking voluntary retirement dated 29th August, 2016 to the competent authority. On receipt of the same, the competent authority shall take decision upon it in accordance with law expeditiously and preferably within four months from the date of submission of said proposal.

b. Writ Petition is disposed of. No costs.

(SANGITRAO S. PATIL, J.)

(S.V. GANGAPURWALA, J.)

SRM/4/5/17