

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3934 OF 2016
(Sudhakar s/o Sambhaji Ingole and others Vs. The State of Maharashtra and others)

Mr. D.M. Shinde, Advocate for petitioners
Mr. A.P. Basarkar, A.G.P. for respondent Nos.1 and 2
Dr. Supriya Pansambal, Advocate holding for Ms.R.P.Gaur,
Advocate for respondent No.3

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

DATE : 26th APRIL, 2017

ORAL ORDER:

Heard.

2. According to the petitioners, their appointments were made in the year 2001 by respondent No.3. The proposal was forwarded on 9th September, 2005 seeking approval to the appointments of the petitioners. The same is not yet decided.

3. The learned A.G.P. submits that as the proposal is with regard to the appointments made on non-teaching posts and the staffing pattern of non-teaching post is yet to be finalised, which is pending with the Government, the proposal is not decided.

4. The staffing pattern as existed in the year in which the petitioners were appointed, will have to be

considered while considering the proposal for grant of approval to the appointments.

5. Of course while considering the proposal, the Authority concerned is required to consider the legality of the appointments made, adherence to the procedure and the admissibility of the posts as on the date on which the petitioners were appointed.

6. Considering the above, the respondent-Authority shall take decision upon the proposal submitted by respondent No.3, seeking approval to the appointments of the petitioners considering the admissibility of the posts as on the date of their appointments and so also considering all other aspects such as adherence to proper procedure, etc. The said proposal shall be decided expeditiously and preferably within four months.

7. With the above directions, the writ petition is disposed of. No costs.

[SANGITRAO S. PATIL]
JUDGE

[S.V. GANGAPURWALA]
JUDGE