

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5095 OF 2016

Sanjay Narayan Chavan

.. **Petitioner**

Versus

The State of Maharashtra and others

.. **Respondents**

Shri S. M. Godsay, Advocate for the Petitioner.

Shri P. S. Patil, Addl. G. P. for Respondent Nos. 1 and 2.

Respondent Nos. 3 and 4 served.

Shri A. B. Kharosekar, Advocate for Respondent Nos. 5 and 6.

**CORAM : S. V. GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 28th September, 2017

PER COURT :

1. Mr. Godsay, learned counsel submits that petitioner was appointed by following due procedure of law as a 'Shikshan Sevak' on 1st September, 2011. The proposal seeking approval to the appointment of petitioner is also forwarded, however, the same is not decided.

2. The learned Addl. G. P. states that the proposal was received by the respondent, however, the same was returned back on account of deficiencies. The proposal of September-2014 as contended by the petitioner is not received by the office.

3. Mr. Kharosekar, learned counsel submits that after the proposal was returned back by the respondent – Authority, the Management has resubmitted the said proposal in December-2015. The endorsement to that effect is also given by the office of the Assistant Commissioner.

4. According to the office of the Assistant Commissioner they have not received the said proposal. We need not enter into the said debate.

5. The respondent – Institution may again resubmit the said proposal with the respondent – Authority and the respondent – Authority on receipt of the said proposal shall take decision upon it on its own merits, in accordance with law, expeditiously and preferably within 4 months from the date of receipt of the proposal.

6. The writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.] [S. V. GANGAPURWALA, J.]

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