

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2867 OF 2014

Nivruti Uttam Rathod

Petitioner

versus

The President/Secretary, Maratha Vidya
Prasarak Samaj and others

Respondents

Mr.S.S.Deshmukh for Petitioner.

Mr.N.V.Bandiwadekar for Respondent nos.1 and 2.

Ms.Nisha Mehra, AGP, for Respondent nos.4 and 5.

Mr.Rajendra Anbhule for Respondent no.3.

CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.

DATE : 6th February 2017

PC :

1. Leave to amend is granted so as to correct the description of Respondent no.4 making it Joint Director, Higher Education, Pune. Amendment to be carried out forthwith.

2. Learned counsel for Respondent nos.1 and 2 has placed on record a proposal dated 26th September 2016 sent by Respondent nos.1 and 2 to Respondent no.4 Joint Director. In the said proposal it has been stated that since the Petitioner has submitted an affidavit that he is ready to withdraw the writ petition, his case may be considered for grant of sanction as an Assistant Professor w.e.f. 15th March 2012 and to allow him salary w.e.f. 1st June 2013. He submits that the proposal as sent, is required to be considered by

Respondent no.4 Joint Director in accordance with law. It is to be noted that as per clause-1 of the said proposal, the Petitioner is getting current regular salary on his reinstatement.

3. Learned AGP submits that said proposal shall be examined by Respondent no.4 and appropriate decision on it will be taken as expeditiously as possible.

4. In view of the aforesaid stand being taken by the Respondents, learned counsel for Petitioner seeks leave to withdraw the petition. He, however, submits that time limit may be fixed so that Respondent no.4 may take appropriate decision expeditiously.

5. Keeping in view aforesaid submissions, we dispose of this petition by directing Respondent no.4 to examine the proposal dated 26th September 2016 sent by Respondent nos.1 and 2 as aforesaid, in accordance with law, as expeditiously as possible but in any case not later than three months from the date of receipt of a copy of this order. No order as to costs.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)