

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 14201 OF 2016

Smt. Lalita Keshav Panaskar & Anr.

.. Petitioners

Vs.

The President,
S.M. Joshi Hindi Madhyamik
Vidyalaya, Pune & Ors.

.. Respondents

.....
Mr. A.B. Tajane, Advocate for the Petitioners.
Mr. V. N. Sagare, AGP for Respondent - State.
.....

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

DATED : FEBRUARY 27, 2017.

P.C. :

Through this Petition filed under Article 226 of the Constitution of India the petitioners are seeking direction to the respondent nos.1, 2 and 3 to send the proposal of the petitioners' for their individual approval as Assistant Teacher in the respondent school namely S.M. Joshi Hindi Madhyamik Vidyalaya, Pune in the High School Pune - 1. In the alternative a prayer is made that if the proposal has already been sent for approval by the school, in that event respondent no.4 - Education Officer be directed to decide the same as expeditiously as possible.

2 A further prayer has been made that the respondent no.4 be directed to issue appropriate order in regards to payment of unpaid salary to the petitioners as Shikshan Sevak from 15th June, 2011 till fresh decision as aforesaid in regard to the proposal and approval of the petitioners is taken.

3 Having considered the submissions made by learned counsel for the petitioners as also learned AGP, we are inclined to dispose of this petition by directing respondent no.1 to 3 - institute to send the proposal for approval as aforesaid in case the petitioners are eligible if not already sent for being appointed as Assistant Teacher in the school run by them to respondent no.4. Let this be done if not already done within three weeks from the date of receipt of copy of this order.

4 In case the proposal has already been sent by respondent nos.1 to 3 to respondent no.4, a copy of the same be again forwarded to respondent no.4. Respondent no.4 in turn shall examine the said proposals and take appropriate decision on it in accordance with law after giving opportunity of hearing to the petitioners as also the representatives of respondent nos. 1 to 3.

5 Respondent no.4 shall also examine the petitioners' claim in regard to non- payment of their salaries as Shikshan Sevak from 15th June, 2011 and issue appropriate directions to respondent nos.1 to 3.

6 The petitioners and the representatives of respondent nos.1 to 3 to appear before respondent no.4 on 28th March, 2017 at 11.00 a.m.

7 The decision as aforesaid be taken by respondent no.4 within one month from the date of appearance of the petitioners before him.

8 With the aforesaid directions, the petition is disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)