

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 571 OF 2018

Shaikh Shabbir Shaikh Habib .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Azizoddin R. Syed, Advocate for the Petitioner.

Shri K. D. Mundhe, A.G.P. for Respondent Nos. 1 to 4.

Shri S. N. Pagare, Advocate for the Respondent No. 5.

**CORAM : S. V. GANGAPURWALA AND
SUNIL K. KOTWAL, JJ.**

DATE : 20TH JUNE, 2018.

FINAL ORDER :

. The learned counsel submits that, the father of the petitioner was working as Safai Kamgar with the respondent No. 5. The father of the petitioner retired from service. Under the scheme of appointment by inheritance introduced by the Government under G. R. dated 10th November 2015, the petitioner is entitled for appointment.

2. Mr. Pagare, the learned counsel for the respondent No. 5 states that, the proposal of the petitioner has been forwarded to the Joint Director of Higher Education.

3. In case the proposal seeking approval to the appointment of the petitioner as Safai Kamgar (Exhibit - C page 23) is pending with the respondent authorities, then the authority shall take decision upon it on its own merits considering G. R. dated 10th November, 2005 expeditiously and preferably within a period of four (four) months from today. Considering the said G. R. dated 10.11.2005, the impugned letter dated 01.06.2017 issued by the respondent No. 3 is quashed and set aside. The proposal shall be considered afresh considering the G. R. dated 10.11.2015 and more particularly clause Nos. 1 and 5 and the conditions enumerated therein. The writ petition is disposed of. No costs.

[SUNIL K. KOTWAL, J.]

[S. V. GANGAPURWALA, J.]

bsb/June 18