

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

WRIT PETITION NO. 8321 OF 2017

Nilesh S/o Subhashrao Chavan ... Petitioner

VERSUS

The State of Maharashtra & Ors. ... Respondents

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Mr C. K. Shinde, Advocate for the petitioner
Mrs Vaishali N. Patil-Jadhav, AGP for respondent No.1
Mr V. D. Patnurkar, Advocate for respondent No. 2
Mr Vikram S. Kadam, Advocate for respondents No. 3 and 4

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**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 05TH MARCH, 2018.

ORDER:

1. We have heard the learned counsel for the petitioner and the respective counsel for the respondents.

2. The grievance of the petitioner appears to be that, he is not paid the monthly salary and the arrears as per 6th pay recommendation and the proposal is not decided.

3. According to the University, no comprehensive proposal is submitted by the college. As such, in absence of a comprehensive

proposal along with the necessary document such as appointment order, the proposal could not be considered.

4. According to Mr. Kadam, the learned advocate for the College, the petitioner was already issued with appointment order in the year 2011, as such the fresh order was not issued though the petitioner was selected.

5. There was no impediment for the respondent to issue fresh appointment order to the petitioner as per the Selection Committee's recommendations in the year 2016.

6. The respondent-College shall issue appointment order according to the report of selection committee as it is not disputed that the petitioner is working with the College as an Assistant Professor and the petitioner was selected for the Post Harvest and Food Biotechnology.

7. The College shall submit the comprehensive proposal along with the appointment order for the post Harvest and Food Biotechnology as per the selection process conducted in the year 2016 to the University within a period of six weeks from today. On

receipt of the proposal complete in all respect, the University shall take decision upon it, expeditiously, within eight weeks from the date of receipt of proposal. Depending upon the decision taken on the proposal, the further consequential steps be taken in regard to payment of salary. The University shall consider the proposal in accordance with the norms and the conditions laid down for the post.

8. Writ Petition is accordingly disposed of. No costs.

9. In case the grievance of the petitioner is not redressed, liberty to the petitioner to agitate the same.

[A. M. DHAVALA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE