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

WRIT PETITION NO.12054 OF 2017

Santosh s/o Nathrao Munde,
Age: 31 years, Occu: Service,
r/o. Indapwadi, Tq. Parali (Vaijanath),
District Beed

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through its Secretary,
School Education & Sports Department,
Mantralaya, Mumbai-32
2. Deputy Director of Education,
Aurangabad Division, Aurangabad
3. Education Officer (Secondary),
Zilla Parishad, Beed
4. Head Master,
Vaidyanath Vidyalaya
(Secondary Division),
Parali (Vaijanath),
District Beed
5. Vaidyanath Shikshan Sanstha,
Parali (Vaijanath),
District Beed
Through its Secretary/President,
C/o. Head Master,
Vaidyanath Vidyalaya
(Secondary Division),
Parali (Vaijanath),
District Beed

..RESPONDENTS

Mr A. N. Nagargoje, Advocate for petitioner;
Mr G. O. Wattamwar, A.G.P. for respondent Nos.1 to 3;
Mr A. S. Kulkarni, Advocate for respondent No.4

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**CORAM : PRASANNA B. VARALE
AND
MANISH PITALE, JJ.**

DATE : 19th September, 2018

ORAL ORDER:

Heard learned Counsel appearing on behalf of the petitioner.

2. Learned Counsel for the petitioner submits that the petition is circulated claiming urgency in view of the fact that the petitioner completed his tenure of three years as a 'Shikshan Sevak' and the proposal is submitted by respondent No.5 – Management to respondent No.3 Education Officer (Secondary), Zilla Parishad, Beed on 18th January, 2016. He further by inviting our attention to the said documents placed at Exh.'G' submits that the said document shows that along with the proposal all the requisite material was also placed before the authority, such as, appointment order of the petitioner, resolution of the management, earlier approval granted to the petitioner and the personal documents of the petitioner.

3. Learned Counsel for the petitioner further submits that though the proposal is submitted to the Education Officer (Secondary) in the year 2016, till filing of the petition, no decision was taken by the competent authority, as such, the petitioner was left with no choice but to approach this Court. He further submits that as respondent No.3 Education Officer failed to take any decision, the petitioner is subjected to a serious prejudice, namely, not

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receiving the salary, as such he prays for directions to respondent No.3 to decide the proposal within a stipulated period.

4. Perusal of the order sheet shows that notice to the respondents was issued by this Court on 5th October, 2017. There is merit in the submission of learned Counsel for the petitioner that though the proposal was submitted to respondent No.3 Education Officer (Secondary) in the year 2016, no decision is taken, as such, the authority is sitting idle over the proposal.

5. Considering this limited grievance raised in the petition, we are of the opinion that the petition can be disposed of at the admission stage itself by issuing directions to respondent No.3 Education Officer (Secondary), Zilla Parishad, Beed, to decide the proposal submitted by respondent No.5 Management on 18th January, 2016 as expeditiously as possible and not later than eight weeks from the date of the order of this Court. Needles to state that respondent No.3 Education Officer (Secondary) to decide the proposal on its own merit considering various decisions of this Court and the policy of the State Government.

With aforesaid directions, the petition is disposed of.

(MANISH PITALE, J.)

(PRASANNA B. VARALE, J.)