

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

BENCH AT AURANGABAD.

WRIT PETITION NO.14833 OF 2017

Sandip S/o Dadaji Pagar. ... Petitioner.

Versus

The State of Maharashtra
and others. ... Respondents.

...
WITH

**WRIT PETITION NO.15204 OF 2017
WRIT PETITION NO.14834 OF 2017
WRIT PETITION NO.14837 OF 2017
WRIT PETITION NO.14838 OF 2017
WRIT PETITION NO.15220 OF 2017**

...

Mr.V.D.Hon, Senior advocate holding for Mr.Jadhav
K.B. and A.V.Hon, advocates for the petitioners.
Mr.A.V.Deshmukh, A.G.P. for the State.
Mr.N.D.Sonavane, advocate for Respondent Nos.4
and 5.

...

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

Date : 04.04.2018.

PER COURT :

1. The Writ Petitions are filed seeking

directions against the Respondent No.3 to decide the proposal of the petitioners submitted by the Management seeking approval to their appointments and further direction against Respondent No.1 to sanction the post on which the petitioners are appointed as basic post.

2. We have heard Mr.Hon, learned Senior advocate for the petitioners, Mr.Sonavane, learned counsel for the institution and Mr.Deshmukh, learned A.G.P.

3. Affidavit-in-reply is filed in Writ Petition No.15204/2017. Para 5 of the affidavit reads thus :

"5. I say that though respondent Deputy Director of Education mentioned in staffing pattern the post of Mathematics subject on which petitioner is appointed, said post is not sanctioned by the State Government. I say that respondent Dy.Director of

Education has shown said post as proposed post due to increased post than basic posts from the year 2011-12 in the staffing pattern. I say that, for said proposed post the sanction of Government is necessary. I say that, the proposal for sanctioning basic post on which petitioner is appointed is already submitted by respondent Dy. Director of Education Nasik to Respondent Government. I say that, after sanction from Government for said proposed post as basic post, Respondent No.3 will grant approval to the appointment of the petitioner considering all other aspects like prescribed process of appointment and reservation policy. Even otherwise the respondent Nos.4 and 5 have not followed the proper procedure as laid down in MEPS Act for filling the post."

It is stated that the Deputy Director of Education has already forwarded the proposal to the Government for sanctioning basic posts on which the petitioners are appointed.

4. It is submitted by the learned counsel for the institution that the Deputy Director has forwarded proposal for sanctioning basic posts on which the petitioners in all these Writ Petitions are appointed.

5. Considering that the proposals are pending with the State Government, it would be appropriate for the State Government to take decision on the proposal submitted by the Deputy Director of Education to it for sanctioning the basis posts expeditiously. In case the said proposals are pending, the Respondent No.1 shall take decision on its own merits in accordance with law expeditiously, preferably within four (4) months. Depending upon the decision taken by the Respondent No.1 on the proposal for sanctioning basic posts, further steps be taken with regard to the proposal forwarded by the

institution seeking approval to the appointment of petitioners.

6. The Writ Petitions are disposed of. No costs.

(A.M.DHAVAL, J.)

(S.V.GANGAPURWALA, J.)

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