

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

WRIT PETITION NO. 5769 OF 2016

Amol Narsinha Kondyal

... Petitioner

Versus

The Principal,

Sambhajirao Shinde Prashala Handicap

Unit (Secondary) and others

... Respondents

.....

Ms. Sanchita Thakur i/b A.S. Kulkarni for the Petitioner.

Ms. K.R. Kulkarni AGP for Respondent Nos. 3 to 5.

Ms. S.V. Bharucha with M.S. Bharadwaj, A.A. Ansari for Respondent No.6.

.....

**CORAM : SHANTANU S. KEMKAR AND
M. S. KARNIK, JJ.**

DATE : 12th MARCH, 2018

P. C.:

. Heard learned counsel for the parties.

2. According to the learned Counsel for the Petitioner, the question involved in this petition is already covered in the decision of Division Bench of this Court in the case of Khandu Nagnath Deokate Vs. The Principal, Sambhajirao Shinde Prashala Handicap Unit (Secondary) and others in Writ Petition No. 5768 of 2016 decided on 5th December, 2017. It is also the case of the Petitioner

that prior to that the Division Bench of this Court at Aurangabad Bench had also decided the similar issue in Writ Petition No. 1030 of 2016 decided on 25th August, 2016.

3. Having regard to the aforesaid submission, we dispose of this petition by directing the respondent Nos. 2 to 4 to examine the petitioner's case and in case the petitioner's claim is covered by the aforesaid order dated 5th December, 2017 the consequential benefits be extended to the Petitioner. Let the entire exercise be completed within a period of two months from the date of receipt of this order. In case, the respondents conclude that the petitioner is not covered by the aforesaid order, then detail reasoned order be passed in the matter within the aforesaid period of two months and be communicated to the Petitioner.

4. With the aforesaid directions the petition is disposed of.

(M. S. KARNIK, J.)

(SHANTANU S. KEMKAR, J.)