

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

**CIVIL APPLICATION NO.2740 OF 2017
IN
WRIT PETITION NO.9599 OF 2009**

Jeevankumar Annu Limbikai .. Applicant.

Vs.

The Education Officer

(Secondary), Z.P. Sangli & Ors. .. Respondents.

Mr. Sunil Dighe for the applicant.

Mr. M.S. Topkar for Respondent No.2.

Ms. Vaishali Nimbalkar AGP for Respondent Nos.1 and 4.

CORAM : A.K. MENON, J.

DATED : 13TH MARCH, 2018

P.C. ,

1. By this civil application, the applicant seeks a direction to respondent no.1 to comply with the order dated 5th December, 2009 and grant approval of higher scale to the respondent with retrospective effect. It is case of the petitioner that respondent no.5 has already been declared surplus. The fact is not denied in the affidavit in reply filed on behalf of respondent no.1 and respondent no.4.
2. Mr.Dighe, learned counsel submits that despite additional workload and as detailed in Exhibit-D to the civil application, respondent no.2—

management is required to seek approval of respondent no.1 that has still not been done.

3. I called upon Mr.Topkar to take instructions. Mr.Topkar states that respondent no.2 will send an application to respondent no.1 in respect of B.Ed scale and workload allotted in Standard VIIIth to Xth. In the circumstances the application shall be made within a reasonable time and in any case before 9th April 2018. As and when the application is made, respondent no.1 will consider the said application within a period of four weeks from the date of receipt of the application.
4. In view of the above, no further directions are required. Civil application is disposed of accordingly.

(A.K. MENON,J.)