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

WRIT PETITION NO.161 OF 2019

Vaishali Nitin Patil,
Age: 44 years, Occ: Service,
R/o. "Durgesh" Sane Guruji Nagar
Hirapur Road, Chalisgaon,
District Jalgaon

..PETITIONER

VERSUS

1. The State of Maharashtra,
Through Secretary
School and Higher Education
Department, Mantralaya,
Mumbai-32
2. The Director of Education
Nashik Region, Nashik,
District Nashik
3. The Deputy Director of Education,
Nashik Division, Nashik. ..RESPONDENTS

Mr B.B. Dahiphale, Advocate h/f Mr N.P. Patil
Jamalpurkar, Advocate for petitioner;
Mr V.S. Badakh, A.G.P. for respondent/State;

**CORAM : PRASANNA B. VARALE
AND
S.M.GAVHANE, JJ.**

DATE : 8th JANUARY, 2019

ORAL ORDER :

At the outset, learned Counsel appearing

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for the petitioner orally prays for amendment to the petition by adding 'The Deputy Director of Education, Nashik Division, Nashik', as party respondent. Learned Counsel submitted that though representations are submitted to the Deputy Director of Education, Nashik Division, Nashik, inadvertently, the Deputy Director of Education, Nashik Division, Nashik is not made party to the petition as party-respondent and as the Deputy Director of Education, Nashik Division, Nashik is necessary party, he prays for amendment by adding him as party respondent to the petition.

2. The oral prayer is allowed. The petitioner is permitted to add 'The Deputy Director of Education, Nashik Division, Nashik' as party respondent No.3 to the petition. Amendment be carried out forthwith.

3. Heard learned Counsel appearing for the petitioner.

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4. The limited grievance is raised in the petition. The submission is, the Principal of K.R. Kotkar Junior College, Chalisgaon, District Jalgaon though forwarded proposal to the Deputy Director of Education, Nashik Division, Nashik initially on 7th November, 2008 and subsequently on 7th October, 2013 as well as on 20th September, 2014, till date, there is no decision on the proposal.

5. Learned Counsel for the petitioner, by inviting our attention to the copy of proposal dated 7th October, 2013, submitted that there was joint proposal of two persons namely petitioner i.e. Smt. Vaishali Nitin Patil as well as Suresh Yashwant Badgujar and as there was no decision, Suresh Yashwant Badgujar by filing Writ Petition No.11653 of 2018 in this Court sought for directions to decide the proposal and accordingly under order dated 28th December, 2018 Deputy Director of Education, Nashik Division, Nashik granted proposal in favour of Suresh Yashwant Badgujar, whereas till date, there is no decision on the proposal of the petitioner.

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6. As there is a positive decision in favour of a person who is similarly circumstanced with the petitioner, it is natural expectation of the petitioner of an early decision, is the submission of learned Counsel for the petitioner. We find considerable merit in the submission of learned Counsel for the petitioner.

7. In view of above referred facts, we dispose of the petition with direction to added respondent No.3 - the Deputy Director of Education, Nashik Division, Nashik to decide the representations dated 7th November, 2008, 7th October, 2013 and 20th September, 2014 as expeditiously as possible and not later than twelve (12) weeks from the date of this order.

8. With above direction, the petition is disposed of.

(S.M.GAVHANE)
JUDGE

(PRASANNA B. VARALE)
JUDGE