

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

1001 WRIT PETITION NO.2054 OF 2014

**RAHUL RATANRAO JAGATKAR AN ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AD OTHERS**

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**Advocate for Petitioners : Deshmukh Sachin S.
AGP for Respondents: V.M.Kagne
Adv.Adwant for R.2
Adv A.N.Irpatgire for R. 4**

**CORAM : S.V.GANGAPURWALA &
MANGESH S. PATIL, JJ.**

DATE : 17/07/2019

PER COURT :

We have heard Mr.Deshmukh, learned advocate for the petitioners, Mr.Adwant, learned advocate for respondent no.2 and Mr.Irpatgire,learned advocate for respondent no.4.

2] It appears that even cost is not deposited by respondent no.4 as directed earlier.

3] There are rival contentions. According to the petitioners, the petitioners are appointed in the year 2002 as Special Teacher on vacant post and the proposal is submitted by the Head Master to the Respondent no.2 for approval. However, no decision has been taken on that as yet. Learned advocate submits that all relevant record was submitted before respondent no.2.

4] Learned advocate Mr.Adwant disputes that all the documents necessary for approval are submitted alongwith proposal. The

proposal alongwith documents submitted are not sufficient to grant approval to the appointment of the petitioners. The same would not be sufficient to demonstrate the proper procedure.

5] The management and the petitioners have to submit all the documents as are required under the Special School Code and the Act alongwith proposal seeking approval. Respondent no.2/competent authority shall consider proposal of the petitioners and the documents that may be submitted within 15 days from today and the authority shall take decision on its own merits in accordance with law preferably within a period of 3 months. It is made clear that we have not expressed any opinion with regard to the merit of the matter.

6] With these directions, Writ Petition is disposed of. No costs.

(MANGESH S. PATIL,J.)

(S.V.GANGAPURWALA,J.)

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