

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

**901 WRIT PETITION NO.4138 OF 2019
WITH
CIVIL APPLICATION NO. 4398 OF 2019**

**AKHILMIYAN FAKRODDINSAB BUDRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioner : Mali D. S.
Addl. G. P. for Respondent Nos. 1 to 3 : Mrs. M. A. Deshpande.
Advocate for respondent Nos. 4 & 5 : Mr. P. G. Rodge.
Advocate for applicant in Civil Application : Dr. Tawshikar S. D.,

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

DATED : 04th JULY, 2019.

PER COURT:-

1. Mr. Mali, the learned Advocate for the petitioner submits that respondent No. 5 had forwarded the proposal to the Joint Director of Education seeking approval to the appointment of petitioner. However, the same is not yet decided.
2. The learned Addl. G. P. accepts notice for respondent Nos. 1 to 3. Mr. Rodge, learned Counsel accepts notice for respondent Nos. 4 & 5.
3. Civil Application is filed contending that it was the right of the applicant to get the appointment. However, the writ petitioner is appointed illegally.

4. It is for the Joint Director of Education to consider all the relevant aspects of the matter while considering grant of approval. As the proposal is pending with the Joint Director of Education seeking approval to the appointment of petitioner. We direct the Joint Director of Education (Respondent No. 2) to decide the said proposal on its own merits, in accordance with law, expeditiously and preferably within a period of six (06) months from today. Writ Petition is disposed of. No costs.

5. In view of the disposal of the Writ Petition pending Civil Application does not survive and the same is also disposed of.

(MANGESH S. PATIL)
JUDGE

(S. V. GANGAPURWALA)
JUDGE

P.S.B.