

(1)

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

WRIT PETITION NO.718 OF 2019

1. Murlidhar Madhav Suryawanshi,
Age: 40 years, Occu: Nil,
R/o Nathnagar, Bodhwad, Tq. Bodhwad,
Dist. Jalgaon
2. Arun Himmatrao Pawar,
Age: 45 years, Occu: Nil,
R/o : At post Malpur, Tq. Amalner,
Dist. Jalgaon
3. Uday Vishwasrao Patil,
Age: 46 years, Occu: Nil,
R/o : At post Kolpimpri, Tq. Parola,
Dist. Jalgaon
4. Bhatu Jagannath Bhosale,
Age: 45 years, Occu: Nil,
R/o: At post Yelode, Tq. Chopada,
Dist. Jalgaon
5. Bhikan Fakira Pawar,
Age: 45 years, Occu: Nil,
R/o. : At post Marval, Tq. Amalner,
Dist. Jalgaon
6. Anil Krishnadeo Bhosale,
Age: 47 years, Occu: Nil,
R/o: At post Nelkaranji,
Tq. Aatpadi, Dist. Sangli
7. Ajit Ravindra Sankhe,
Age: 38 years, Occu: Nil,
R/o: At Sapale (Nakoda),
Post Umbarpada,
Tq. and Dist. Palghar
8. Rajendra Mohan Akolkar,
Age: 46 years, Occu: Nil,
R/o: At Satwad, Post Devari,
Tq. Pathardi, Dist. Ahmednagar

(2)

9. Krushna Shankar Kadam,
Age: 46 years, Occu: Nil,
R/o: At post Zirapwadi, Tq. Phaltan,
Dist. Satara

..PETITIONERS

VERSUS

1. The State of Maharashtra,
Through its Secretary,
General Administration Department,
Mantralaya, Mumbai-32
2. The Secretary,
Government of Maharashtra,
Agriculture Department, Mantralaya,
Mumbai
3. The Secretary,
Maharashtra Regional Service Secondary
Board, Konkan Bhavan,
Navi Mumbai-400614
4. The Divisional Commissioner,
Konkan Division, Konkan Bhavan,
Navi Mumbai
5. The Deputy Commissioner (Revenue) and
Member Secretary, Divisional Selection
Committee, Konkan Division, Konkan Bhavan,
Belapur, New Mumbai
6. The Joint Director Agriculture
Department (JDO),
Konkan Division, Thane

..RESPONDENTS

Mr P. D. Bachate, Advocate for petitioners;
Ms R. P. Gour, A.G.P. for respondents

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

DATE : 24th January, 2019

ORAL ORDER:

Heard Mr Bachate, learned Counsel appearing on behalf of the petitioners.

2. Learned Counsel for the petitioners submits that a limited grievance is raised in the petition, namely, non decision on the representation of these petitioners by respondent No.4 – Divisional Commissioner, Konkan Division, Konkan Bhavan, Navi Mumbai.

3. It seems that the petitioners referred to a long drawn process of issuance of advertisement, the entitlement of the petitioners and the denial by respondent-authority to consider the claim. As the representation was submitted before the authority on 11th April, 2017 and there was no decision within reasonable period, the petitioners have approached this Court seeking direction to respondent No.4 to decide the representation.

4. This being the crux of the matter, we dispose of the petition with direction to respondent No.4 to decide the representation dated 11th April, 2017 expeditiously and not later than four months from the date of the order of this Court. We further make it clear that respondent No.4 is permitted to undertake an exercise of assessment of the merits of the representation including the claim and entitlement of the petitioners on the backdrop of the policy of the State Government reflected in various Government

(4)

Resolutions, Circulars, decisions, etc.

Respondent No.4 may also consider the aspect of delay in approaching the authority on the backdrop of the fact that it is stated in the representation that the advertisement was issued in the year 1997. The reasonable test was conducted some time in the year 1999 and certain petitions were also filed at the principal seat of this Court. As such, respondent No.4 is even to consider the aspect of the delay in approaching the authority.

The petition is disposed of accordingly.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk