

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

25 WRIT PETITION NO.5317 OF 2018

DHANRAJ SUDHAKAR LADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Patil Hanmant V. And A A Phad
AGP for Respondents State: Mrs. G. L. Deshpande
Advocate for Respondents 3 & 4 : Mr. S.S. Choudhary

**CORAM : S. V. GANGAPURWALA &
A. M. DHAVAL, JJ.**

DATE : 14th February, 2019

PER COURT :

1. Continuation to the petitioner on the post of Junior Clerk is rejected on the ground that there is dispute in the management. Mr. Patil, learned Advocate for the petitioner submits that, now the dispute has been resolved in the management. There is admissible post and the petitioner is entitled to promotion/continuity on the post of junior clerk.

2. We have also heard Mr. Choudhary, learned Advocate for the respondent Institution.

3. If the dispute is resolved in the

management, there would be no controversy with regard to the continuation/promotion to the petitioner on the post of Junior Clerk.

4. In the light of above, the impugned order is set aside. The Education Officer shall re-consider the proposal seeking approval to the promotion of the petitioner as Junior Clerk by issuing notice to the respondent-Institution and also to the petitioner. The same shall be decided expeditiously, preferably within a period of four months.

5. Writ petition is accordingly disposed of. No costs.

(A. M.DHAVALÉ, J.)

(S.V.GANGAPURWALA, J.)

JPC