

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

WRIT PETITION NO. 1099 OF 2019

Kailas Madan Rathod

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri Paresh B. Patil, Advocate for the Petitioner.

Shri S. B. Yawalkar, Addl.G.P. for Respondent Nos. 1 to 4.

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

DATE : 22ND JULY, 2019.

FINAL ORDER :

. The learned Additional Government Pleader for respondent Nos. 1 to 4 on instructions submits that, the proposal seeking approval to the appointment of the petitioner is already decided and it is returned back.

2. According to the learned counsel for the petitioner, the petitioner is not appointed by nomination, but has been promoted from the post of clerk to the post of assistant teacher.

3. The learned counsel for the petitioner further submits that, after the order was passed by the Assistant Commissioner, Social Welfare returning the proposal, the management has submitted

the proposal afresh along with the explanation.

4. In that case, if such proposal is received by the Assistant Commissioner, Social Welfare from the management, pursuant to the order passed by him on 31.12.2018, then the Assistant Commissioner, Social Welfare shall decide the proposal considering the fact that, the petitioner is promoted as Assistant Teacher from the post of clerk.

5. In view of the above, the writ petition is disposed of. No costs.

[MANGESH S. PATIL, J.]

[S. V. GANGAPURWALA, J.]

bsb / July 19