

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 13135 OF 2017

Bhoir Arun Raghunath	...Petitioner
Versus	
The State of Maharashtra & ors.	...Respondents

Mr. N. V. Bandiwadekar, I/b Ashiwini N. Bandiwadekar, for
the Petitioner.
Mr. S. B. Kalel, AGP for the State/Respondent nos.1 and 2.
Mr. L. A. Garge, for Respondent no.3/State.

CORAM: R. M. BORDE &
N. J. JAMADAR, JJ
DATED: 24th JULY, 2019

PC:-

1. The proposal tendered by the educational institutions – Respondent nos.3 and 4 seeking approval to the appointment of the Petitioner has been turned down by an order dated 24th June, 2016. It is recorded in the order impugned in this petition that the educational institution has failed to remove certain deficiencies in the proposal. Mr. Bandiwadekar, the learned Counsel for the Petitioner informs that in fact there were no such deficiencies as recorded in the impugned order dated 24th June, 2016. However, in any event, the institution ought to have been extended an opportunity to remove the deficiencies and thereafter only the Education Officer should

have proceeded to consider the proposal.

2. Since the Education Officer has not extended an opportunity to the education society to remove the deficiencies appearing in the proposal, it is desirable to extend an opportunity to the education society to remove deficiencies and also issue directions to the Education Officer to reconsider the proposal. In the circumstances, the writ petition is allowed.

3. The order impugned in this petition is quashed and set aside.

4. The education institution i.e. Respondent nos.3 and 4 shall remove the deficiencies in the proposal and resubmit the same to Respondent no.2, as expeditiously as possible, preferably within two months from today. On receipt of the proposal from Respondent nos.3 and 4, Respondent no.2 - Education Officer shall take appropriate decision, as expeditiously as possible, preferably within three months from the date of receipt of the proposal.

5. In view of the above directions, the writ petition stands disposed of.

[N. J. JAMADAR, J.]

[R. M. BORDE, J.]