

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7654 OF 2019

RAJENDRA GANESH SAMDANE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. V.S. Panpatte, Advocate for petitioner
Mr. P.N. Kutti, AGP for respondent – State
Mr. M.S. Sonawane, Advocate for respondent no. 3
...

CORAM : SUNIL P. DESHMUKH &
ABHAY AHUJA, JJ.
DATE : 10-03-2021

ORDER :

1. The petitioner questions communication by Education Officer (Primary), Zilla Parishad, Jalgaon dated 02-07-2018, purporting to reject the proposal for approval to appointment of two persons, namely, present petitioner – Rajendra Ganesh Samdane and one Shri Paresh Banshilal Suryawanshi. It appears that against aforesaid order of Education Officer dated 02-07-2018, said Mr. Paresh Suryawanshi had been before this court in writ petition no. 5858 of 2018 and a division bench of this court had been pleased to set aside the same, observing thus;

“ 8. We deem it appropriate to quash and set aside the order dated 2nd July, 2018 passed by the Education Officer and further direct the Education Officer to take a decision afresh on the proposal of the petitioner considering the statements referred to above as reflected

in paragraphs-7 and 9 of the affidavit in reply filed on behalf of the Deputy Director of Education. It is not in dispute that the petitioner is waiting since long for a decision on the proposal and there was round of litigation, the Education Officer to take a decision as early as possible and not later than four weeks from the receipt of the order of this Court."

2. While reasons weighed in the order may as well have sway over present situation, and since that order has been set aside, its efficacy has come to an end effecting revival of the proposal of petitioner before Education Officer (Primary), Zilla Parishad, Jalgaon to take decision.

3. In view of the same, the proposal for approval to petitioner's appointment be re-considered as early as possible preferably within a period of four weeks from the date of receipt of writ of this order.

4. Writ petition is disposed of accordingly.

[ABHAY AHUJA]
JUDGE

[SUNIL P. DESHMUKH]
JUDGE

arp/