

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

965 WRIT PETITION NO.4227 OF 2021

SANTOSH S/O TRIMBAK GANGAPURE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Petitioner : Mr. D. S. Mali.

AGP for Respondent/State: Mr. A. R. Kale.

Advocate for Respondent Nos.4 & 5 : Mr. Laxman H. Kawale.

...

CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.

DATE : 23rd November, 2021.

P.C.:

. The proposal seeking approval to the appointment of petitioner as a Junior Clerk is rejected.

2 Heard the learned counsel for petitioner and the learned AGP.

3 The proposal seeking approval to the appointment of the petitioner as a Junior Clerk is rejected on the basis of Government Resolution dated 7th March, 2019. The petitioner claims to have been appointed in the year 2012. According to the petitioner, the first proposal was submitted for approval in the year 2012, then again it was submitted in the year 2015 and for the third time it was submitted in the year 2019.

4 In case, the Management and the petitioner claim to have appointed the petitioner in the year 2012, then it would not be proper to reject the said proposal on the basis of Government Resolution dated 7th March, 2019. The position as on the date the petitioner was appointed will have to be considered, ofcourse, the Education Officer is required to consider the relevant Government Resolutions existing as on the date the petitioner was appointed so also adherence to the qualification, procedure, roster and all other aspects.

5 In light of that, the impugned order is quashed and set aside.

6 The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner as a Junior Clerk afresh.

7 The same shall be decided expeditiously within six months.

8 The writ petition is disposed of. No costs.

[R. N. LADDHA, J.]

[S. V. GANGAPURWALA, J.]