

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

248 WRIT PETITION NO.7043 OF 2009
WITH WP/8015/2009

VITHAL UTTAM PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for respective Petitioner : Mr. S.S. Tope & Mr. A.D.
Aghav

AGP for Respondents State : Mr. S.K. Tambe

...

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

DATED : 09/08/2021.

PER COURT :

. We have heard Mr. S.S. Tope and Mr. A.D. Aghav,
learned advocates for the respective petitioners.

2. We are not considering the contentions on merits in
view of the judgment of Full Bench of this Court in the case of
**Rajendra Pandurang Pagare & Anr. Vs. State of Maharashtra &
Ors. Reported in 2009 (4) Bom. C.R. 928.** The District Maleria
Officer, Jalna had filed affidavit. Paragraph 5 of the affidavit
reads thus :-

"05. I say that eventhough the aforesaid position,
this deponent is ready to send the proposal of the
petitioner for consideration of his claim amongst

the project Affected Candidate if this Hon'ble Court pass such order this behalf."

3. It is not for the Court to direct, it is for the authorities to consider the proposal in accordance with law. The respondents may consider the proposal as stated in the affidavit and decision may be taken.

4. The decision may be taken preferably within six months.

5. With these observations, the writ petitions stand disposed of. Rule discharged. No costs.

[R.N. LADDHA, J.]

[S.V. GANGAPURWALA, J.]

ssc/