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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1960 OF 2020

Soul Alka Pramod Gaikwad

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Prashant Bhavake, for the Petitioner.

Mr. N.K. Rajpurohit, AGP for Respondent Nos.1 to 5.

CORAM : R.D. DHANUKA &
R.I. CHAGLA, JJ.

DATE : 12 July 2021

ORDER :

1. Leave to amend the Petition is granted to the Petitioner for deleting Respondent Nos.6 and 7. Amendment to be carried out within one week from the date of this order. Re-verification is dispensed with.

2. Rule. Learned AGP for the Respondent Nos.1 to 5 waives service.

3. Rule is made returnable forthwith. Heard finally by consent of parties.

4. By this Writ Petition filed under Article 226 of the Constitution of India, the Petitioner is seeking direction against the Respondent No.5 Education Officer to decide the proposal sent by the Respondent No.6 Educational Institution and Head Master of the Respondent No.7 Secondary School for individual approval to the appointment of the Petitioner in the post of Shikshan Sevak at Respondent No.7 – Secondary School within the stipulated period.

5. The learned Counsel for the Petitioner submits that the proposal dated 10th October, 2013 sent by the Respondent No.7 is still pending consideration by Respondent No.5 Education Officer. He submits that the proposal is required to be considered as early as possible.

6. Considering the submission of the Petitioner that the proposal sent by Respondent No.6 Educational Institution and Head Master of Respondent No.7 Secondary School for

individual approval to the appointment of the Petitioner in the post of Shikshan Sevak at Respondent No.7 Secondary School is pending for consideration by the Respondent No.5 Education Officer, the following order is passed:-

- (i) Respondent No.5 Education Officer shall decide the proposal sent by Respondent No.6 and Headmaster of Respondent No.7 within a period of eight weeks from the date of this Order.
- (ii) The Petitioner is at liberty to make legal submissions in writing before the Respondent No.5 Education Officer within one week from today.
- (iii) The decision on the said proposal shall be communicated to the Petitioner as well as Respondent Nos.6 and 7 within a period of one week from the date of decision.
- (iv) We have not expressed any views on the merits of the Petition or the proposal dated 10th October, 2013. All

contentions of the parties are kept open.

(v) The Writ Petition is disposed of in the above terms.

There shall be no order as to costs.

(vi) Rule is made absolute.

[R.I. CHAGLA J.]

[R.D. DHANUKA, J.]