

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 3878 OF 2021

Mahesh Bajirao Hake

... Petitioner

Versus

The State of Maharashtra and Ors.

... Respondents

Mr. Y. B. Lengare a/w Mr. Wilson Robi for the Petitioner.

Mrs. P. J. Gavhane, AGP for the State-Respondent Nos. 1 to 3.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 2nd DECEMBER, 2021.

P.C. :-

1. Mr. Lengare, learned counsel for the petitioner seeks liberty to delete the respondent nos. 4 and 5 from the cause title of the petition. Leave to amend is granted. Amendment to be carried out forthwith. Re-verification is dispensed with.

2. Rule. Mrs. Gavhane, learned AGP respondent nos. 1 to 3 waives service. By consent of parties, petition is heard finally.

3. By this petition filed under Article 226 of the Constitution of India, the petitioner has impugned the letter-cum-order dated 1st April, 2021 thereby keeping the proposal pending sent by the Management to the respondent no.3 for approving the appointment of the petitioner.

4. The proposal was sent for the first time by the Management on

15th/20th December, 2019 which is not decided till date. The petitioner has sent a reminder on 1st March, 2021, however, of no avail.

5. We accordingly direct the respondent no.3 to consider the said proposal submitted by the Management in accordance with the law within eight weeks from today. The order that would be passed by the respondent no.3 shall be communicated to the petitioner within one week from the date of passing of such order. If the said order is adverse against the petitioner, no coercive steps would be taken against the petitioner for the period of three weeks from the date of communication of the said order.

6. Writ Petition is allowed in aforesaid terms. Rule is made absolute accordingly. There shall be no order as to costs.

7. It is made clear that this Court has not expressed any views on the merits of the matter. All contentions of both the parties are kept open.

8. Parties to act on an authenticated copy of this order.

[ABHAY AHUJA, J.]

[R. D. DHANUKA, J.]