

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

WRIT PETITION NO.8562 OF 2021

Subhangi Ajit Patil & Ors.	.. Petitioners
Versus	
State of Maharashtra & Ors.	.. Respondents

Mr.Laxman Shivajirao Deshmukh for the petitioners.
Mr.V.M. Mali, AGP for respondents-State.
Mr.Nilesh Mohan Wable for the respondent nos.3 & 4.

**CORAM : R.D. DHANUKA AND
R.N. LADDHA, JJ.
DATE : 13th December 2021**

P.C.:-

. Rule. Learned AGP for the respondents-State waives service. Mr.Wable, learned counsel for the respondent nos.3 & 4 waives service. By consent of parties, petition is heard finally.

2. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks order and direction against the respondent nos.3 & 4 to submit proposal to the respondent no.2 for grant of approval of the petitioner's appointment to the post of Shikshan Sevak w.e.f. 15th June 2017 and further direction against the respondent no.2 to decide the said proposal in accordance with law within a stipulated period.

3. Learned counsel for the respondent nos.3 and 4, on instructions, states that his client would send proposal to the respondent

no.2 for grant of approval of the petitioner's appointment to the post of Shikshan Sevak w.e.f. 15th June 2017 within four weeks from today. Statement is accepted.

4. Upon receipt of such proposal from the respondent nos.3 and 4, the respondent no.2 shall decide the said proposal within four weeks thereafter in accordance with law and communicate the said order that would be passed by the respondent no.2 to the petitioner as well as to the respondent nos.3 and 4 within one week from the date of passing such order.

5. If the proposal is not accepted by the respondent no.2, the petitioner would be at liberty to file appropriate proceedings. If the proposal is accepted by the respondent no.2, the respondent nos.1 and 2 shall release the payment due to the petitioner within two weeks from the date of inclusion of the name of the petitioner in Shalarth Pranali. Name of the petitioner shall be included in the Shalarth Pranali within two weeks from the date of granting proposal.

6. Till the proposal is decided by the respondent no.2 and for a period of two weeks from the date of communication of the said order, if the same is adverse against the petitioner, neither the respondent nos.1 and 2 nor the respondent nos.3 and 4 shall fill up the post already occupied by the petitioners.

7. Writ petition is allowed in aforesaid terms. This Court has not expressed any views on merits of the matter. All contentions of all the

parties are kept open. Rule is accordingly made absolute. No order as to costs. Parties to act on the authenticated copy of this order.

R.N. LADDHA, J.

R.D. DHANUKA, J.