

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12282 OF 2018

Mande Ranjit Sarjerao

..... Petitioner

VERSUS

The State of Maharashtra & Ors.

..... Respondents

Mr.Saurabh S.Pakale, i/b. Mr.S.M.Katkar for the Petitioner.

Mr.R.P.Kadam, A.G.P. for the State – Respondent nos.1 to 3.

CORAM: R. D. DHANUKA AND

ABHAY AHUJA, JJ.

DATE : 25th OCTOBER, 2021

P.C:-

Mr. Pakale, learned counsel for the petitioner seeks liberty to delete the name of the respondent nos. 4 and 5. Leave to amend is granted. Amendment to be carried out forthwith. Re-verification is dispensed with. By consent of parties, matter is heard finally.

2. Mr. R.P.Kadam, learned A.G.P. waives service for the respondents.

3. The case of the petitioner is that though the proposal is sent by the management vide letter dated 8th May, 2015 to the Deputy Director

of Education, Kolhapur appointing the petitioner as Shikshan Sevak, the said proposal has not been decided till date.

4. Learned A.G.P. states that the copy of the proposal annexed to the petition at Ex.M does not carry out any acknowledgment.

5. Mr. Pakale, learned counsel for the petitioner agrees to produce a copy of the said proposal duly acknowledged by the Deputy Director of Education, Kolhapur within one week from today before the Deputy Director of Education, Kolhapur. Statement is accepted.

6. If the Deputy Director of Education, Kolhapur does not find any such proposal in its record as would be produced by the petitioner, a copy of the proposal which would be submitted by the petitioner duly acknowledged shall be considered as a copy of the proposal and to be considered within six weeks from the date of receipt of the said copy and shall pass appropriate order. A copy of the order that would be passed shall be conveyed to the petitioner within one week from the date of passing of such order.

7. If the order is adverse against the petitioner, no coercive steps

shall be taken against the petitioner on the basis of such adverse order for a period of three weeks from the date of communication of such order. If the order is in favour of the petitioner, the respondent no.3 shall include the name of the petitioner in the Shalarth Pranali within three weeks from the date of passing of the order of approval and to pay all consequential benefits to the petitioner within four weeks thereafter.

8. Writ petition is made absolute in the aforesaid terms. Rule is made absolute accordingly. No order as to costs.

[ABHAY AHUJA, J.]

[R.D.DHANUKA, J.]