

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5546 OF 2021

Bhagwan Anandrao Khambe ... Petitioner
Vs.
State of Maharashtra and others ... Respondents

Mr. Sushant Khatke i/b. Mr. Prashant Bhavake for Petitioner.
Mrs. P. J. Gavhane, AGP for Respondent Nos.1 to 5-State.
Mr. Utkarsh Desai for Respondent Nos.6 and 7.

**CORAM : R. D. DHANUKA &
R. N. LADDHA, JJ.**

DATE : DECEMBER 22, 2021

P.C. :-

Rule. Mrs. Gavhane, learned AGP waives service for respondent Nos.1 to 5-State. Mr. Desai, learned counsel waives service for respondent Nos.6 and 7. 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 respondent No.5 to decide the proposal dated 30.04.2018, which was submitted by respondent Nos.6 and 7 on 02.05.2018, for individual approval to the appointment of the petitioner in the post of Peon at respondent No.7 - Secondary School. Learned counsel for the petitioner states that the said proposal is pending since 2018. Statement is accepted.

3. If the proposal submitted by the management is still pending, the same shall be decided by the Education Officer (Secondary), Zilla Parishad, Kolhapur within eight weeks from today. If the proposal is accepted by the Education Officer, the Deputy Director of Education shall enter name of the petitioner in *Shalarth Pranali* within four weeks from the date of approval. In that event, the Education Officer shall release the salary and grant-in-aid from the initial date of appointment of

the petitioner to the said post within four weeks from the date of entering name of the petitioner in *Shalarth Pranali*. If the proposal is not accepted by the Education Officer, the petitioner would be at liberty to file appropriate proceedings. The order that would be passed shall be communicated to the petitioner within one week from the date of passing of such order.

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

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

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

(R. N. LADDHA, J.)

(R. D. DHANUKA, J.)

Minal Parab