

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1293 OF 2021

Mohaddin Shirajshaha Mulla

..... Petitioner

VERSUS

The State of Maharashtra & Anr.

..... Respondents

Mr.Mandar G.Bagkar, i/b. Mr.Chetan G.Patil for the Petitioner.

Mr.N.C.Walimbe, A.G.P. for the State – Respondent nos.1 and 2.

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

DATE : 9th AUGUST, 2021

P.C:-

Leave is granted to the petitioner to delete names of the respondent nos. 3 and 4. Amendment shall be carried out within one week from today.

2. Rule. Learned A.G.P. waives service for the respondent nos. 1 and 2. Heard finally by consent of parties.

3. The petitioner by this petition filed under Article 226 of the Constitution of India is seeking direction against the respondent no.2 to grant approval to the appointment of the petitioner as a peon w.e.f. 5th March, 2014 and to release grant in aid for payment of salary to the petitioner with all consequential benefits.

4. The petitioner is appointed on non teaching post of peon in the school run by the Shikshan Prasarak Mandal, Kolhapur. Thereafter the petitioner approached by way of proposal/representations dated 5th June, 2018 and 25th July, 2019, the respondent no.2 seeking approval to the appointment of the petitioner. However, the respondent no.2 has not decided the said proposal/ representations. In view thereof, the present petition is filed.

5. Learned counsel for the petitioner states that till date, the respondent no.2 has not considered the proposal/representations dated 5th June, 2018 and 25th July, 2019. He has submitted that the respondent no.2 be directed to consider the said proposal/representations.

6. In view thereof, the respondent no.2 shall consider the said proposal/representations dated 5th June, 2018 and 25th July, 2019 within a period of eight weeks from the date of this order. The respondent no.2 shall inform its decision to the petitioner within one week from the date of taking such decision.

7. Writ petition is disposed of in the aforesaid terms. Rule is made absolute. There shall be no order as to costs.

[R.I.CHAGLA, J.]

[R.D.DHANUKA, J.]