

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 699 OF 2021

Akash Dipak Atole

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

Laxman S. Deshmukh - Advocate for the Petitioner.

Shri N. C. Walimbe – AGP for the Respondent/State Sachin

Thorat - Advocate for the Respondent No. 4.

CORAM : S. C. GUPTE AND
SURENDRA P. TAVADE, JJ.

DATE : 25 FEBRUARY 2021.

P.C. :

1. The subject matter of the present petition concerns approval to the Petitioner's appointment as a 'Junior Clerk' in Respondent No. 5-School.

2. The Petitioner was appointed in a vacant post as Junior Clerk w.e.f. 16.08.2019. Respondent No. 4 - Management submitted a proposal for grant of approval to the Petitioner's appointment on 13.09.2019. Respondent No. 3-Education Officer did not grant approval to the Petitioner's appointment; however, by letter dated 07.10.2019, Respondent No. 3 observed

that an appropriate decision, in accordance with Government Resolution dated 28.01.2019, shall be taken towards approval of the Petitioner's appointment.

3. More than a year has since passed and there is no decision. It is submitted by the Petitioner that the number of students available in Respondent No. 5-School clearly justifies the Petitioner's appointment in accordance with the staffing pattern decided by the Respondent-State vide Government Resolution dated 28.01.2019.

4. On these facts, the petition can be disposed of by directing Respondent No. 3 – Education Officer to take an appropriate decision in accordance with the Government Resolution dated 28.01.2019 expeditiously and in a time bound manner.

5. The petition is, accordingly, disposed of by directing Respondent No. 3 to take an appropriate decision on the pending proposal of 13.09.2019 for approval to the Petitioner's appointment as a 'Junior Clerk' in Respondent No. 5- School as expeditiously as possible and, in any event, within a period of six weeks from today.

[SURENDRA P. TAVADE, J.]

[S. C. GUPTE, J.]