

BASAVRAJ
GURAPPA
PATIL

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

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Date: 2021.10.29
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WRIT PETITION NO.4598/2021

Somnath Damodar Dhole

..... Petitioner

Vs.

State of Maharashtra & Ors.

..... Respondents

Ms. Bhagyashri Mangale for the Petitioner
Ms. Rekha Musale for Respondent Nos.4 and 5
Mr. Vijay Kiledar for Respondent No.2.

**CORAM: R.D.DHANUKA &
ABHAY AHUJA, JJ.**

DATED : OCTOBER 28, 2021

P.C.

1 Leave to amend is granted to correct Exhibit-F as Exhibit-H in prayer clause (e) of the petition. Amendment to be carried out forthwith. Re-verification is dispensed with.

2 Rule.

The learned AGP waives service for the State. Ms.Musale, the learned counsel waives service for Respondents No.4 and 5 Mr. Kiledar, learned counsel for Respondent No.2 waives service.

By consent of the parties, the petition is heard finally.

3 The only relief pressed by the learned counsel for the Petitioner is that the proposal for individual approval for the appointment of the Petitioner for the post of Assistant Teacher, annexed to Exhibit-H has not been considered by the Primary Education Officer, Solapur.

4 Mr. Kiledar, the learned counsel for Respondent no.2, on instructions, states that his client would consider the proposal submitted by the Management, annexed at Exhibit-H to the petition, within 12 weeks, in accordance with law. The statement is accepted. He also tenders a copy of the letter received from the instructing counsel. A copy of the said letter is taken on record. The order that would be passed by Respondent No.2 shall be conveyed to the Petitioner as well as the Management within a week from the date of passing the order.

5 If the order is against the Petitioner, the Management shall not take any coercive steps against the Petitioner for a period of three weeks from the date of communication of the order.

6 If the order is in favour the Petitioner, Respondent No.2 shall include the name of the Petitioner in Shalarth Pranali within 2 weeks from the date of grant of approval and shall pay consequential benefits from the date of initial appointment, within a period of 4 weeks thereafter.

7 The Rule is made absolute in the aforesaid terms.

8 The Writ Petition is allowed accordingly.

9 No order as to costs.

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

(ABHAY AHUJA, J.)

(R.D.DHANUKA, J.)