

Sharayu Khot.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4379 OF 2021

Sanjay s/o Vitthalrao Patil

...Petitioner

Versus

State of Maharashtra & Ors.

...Respondents

Mr. Ketan Pote h/f Mr. Arvind G. Ambetkar for the Petitioner.

Mrs. P.J. Gavhane, AGP for the Respondent Nos. 1 to 3.

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

DATE : 31 August 2021

ORDER :

1. Matter is mentioned at 2.30 p.m.
2. Leave to amend the Writ Petition to delete Respondent No. 4 is granted. Amendment shall be carried out within a period of one week.
3. Rule. Learned AGP for Respondent No. 1 to 3 waives service.

4. Heard finally by consent of the parties.

5. By this Petition filed under Article 226 of the Constitution of India, the Petitioner seeks direction against Respondent No. 3 to allow the proposal dated 21st October 2020 filed by the Petitioner for continuation of service from 18th October 1996 to 30th November 2006.

6. The Petitioner was appointed as Assistant Teacher with Janata Vidyalaya Ramnagar, Taluka Niphad, District Nashik on clear vacant post at non-grantable secondary school on 17th October 1996. On 1st December 2006 the Petitioner was transferred and appointed at Janata Vidyalaya Nimon, Taluka Chandwad, District Nashik at grant-in-aid secondary school. The appointment as “Shikshan Sevak” of the Petitioner was approved by Education Officer (Secondary), Zilla Parishad, Nashik. The Petitioner completed three years service as Assistant Teacher and thereafter service was continued.

7. The Petitioner on 21st October 2020 submitted the continuation proposal to the Education Officer for the period

from 18th October 1996 to 30th November 2006. The said proposal has not been considered till date by the Respondents and being aggrieved thereby the present Petition has been filed.

8. Learned Counsel for the Petitioner states that the proposal has been pending since 21st October 2020 and Respondent No. 2 be directed to consider and decide the said proposal.

9. In view thereof, the Respondent No. 3 is directed to decide the proposal of the Petitioner dated 21st October 2020 for continuation of service of the Petitioner from 18th October 1996 to 30th November 2006 within a period of eight weeks from the today.

10. The decision taken by the Respondent No. 3, shall be communicated to the Petitioner within a period of one week thereafter.

11. Writ Petition is accordingly, disposed of in above terms.

12. Rule is made absolute.

13. There shall be no order as to costs.

[R.I. CHAGLA J.]

[R.D. DHANUKA, J.]