

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1114 OF 2019

Sai Panchkroshi Shikshan Prasarak
Mandal and Ors.

... Petitioners

Versus

State of Maharashtra and Ors.

... Respondents

Mr. Manoj A. Patil for the Petitioners.

Mr. N. C. Walimbe, AGP for the State-Respondent Nos. 1 to 5.

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

DATE : 1st SEPTEMBER, 2021.

P.C. :-

. Rule. Learned AGP waives service for the respondents. Heard finally by consent of parties.

2. By this petition filed under Article 226 of the Constitution of India, the petitioners are seeking directions against the respondent nos.3 to 5 to take appropriate decision on the petitioners grievance representation dated 13th March, 2018.

3. The petitioner no.3 is a peon serving with petitioner no.2-school from 14th June, 2014. The partial grant in aid was granted in 2006-2008, thereafter full grant in aid was declared to the petitioner no.2-school. It is the case of the petitioners that the proposal was submitted by the petitioners, requesting the Education Officer to sanction the

grant in aid to the post of petitioner no.3, but no decision was taken. Being aggrieved, the petitioners filed this petition.

4. Learned counsel for the petitioners referred to the order dated 31st March, 2021 passed by the Division Bench of this Court. It was noted in the said order that the proposal was sent to the Director of Education Secondary on 27th December, 2011 but the same has been pending since that date. Office of the Government Pleader was directed to send the copy of the said order dated 31st March, 2021 with copy of the petition and affidavit-in-reply filed by the Education Officer to the Director of Education Secondary, who will then call for the relevant file and ascertain as to what has contributed to the delay in respect of the petitioners' proposal. The Director of Education Secondary was to examine the file and take necessary action in that regard and to inform the outcome to the petitioners.

5. Learned counsel for the petitioner has submitted that the hearing was held by the Director of Education Secondary ten days after the passing of the order dated 31st March, 2021 when the petitioners appeared. Thereafter, no decision has been taken pursuant to the said by the Director of Education Secondary.

6. In view thereof, we direct the respondent no.3-Director of Education to take decision on the petitioners' grievance representation dated 13th March, 2018 as well the proposal sent to the Director of Education on 27th December, 2011 and pass the appropriate orders within a period of four weeks from today. In the event, that the

Director of Education who had granted hearing to the petitioners, is not available, new Director of Education shall take decision on the petitioners' grievance representation dated 13th March, 2018 as well the proposal sent to the Director of Education on 27th December, 2011 and pass the appropriate orders within a period of eight weeks after hearing is granted to the petitioners with an advance notice of seven days.

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

[R. I. CHAGLA, J.]

[R. D. DHANUKA, J.]