

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

WRIT PETITION NO. 4042 OF 2021

Head Master, Arun Primary School and Ors. ... Petitioners
Versus
State of Maharashtra and Ors. ... Respondents

Mr. Mohan B. Jadhav i/by P. S. Badgude for the Petitioners.
Mrs. P. J. Gavhane, AGP for the Respondent-State.
Mr. Vijay Killedar for the Respondent Nos. 3 and 4.

**CORAM: R. D. DHANUKA AND
R. N. LADDHA, JJ.**

DATE : 13th DECEMBER, 2021.

P.C. :-

. Rule. Learned AGP for the respondent nos. 1 and 2 waives service. Mr. Killedar, learned counsel for the respondent nos. 3 and 4 waives service. By consent of parties, petition is heard finally.

2. By this petition filed under Article 226 of the Constitution of India, the petitioners have prayed for writ of mandamus against the respondent nos. 3 and 4 by seeking directions to grant approval in favour of the petitioner nos. 2 and 3 for their respective posts w.e.f. 1st September, 2004 and for other reliefs.

3. Mr. Jadhav, learned counsel for the petitioners states that the proposal submitted by the Management on 1st October, 2010 annexed at page 55 is till pending. Statement is accepted.

4. We accordingly direct the respondent no.4 to decide the said proposal in accordance with the law within six weeks from today and to pass appropriate order. The order that would be passed by the respondent no.4 shall be communicated to the petitioners within one week from the date of passing of such order. If the said order is adverse against the petitioners, the petitioners would be at liberty to file appropriate proceedings. If the proposal of the petitioners is accepted by the respondent no.4, the respondent no.4 shall grant all consequential benefits to the petitioners within four weeks from the date of granting of proposal.

5. It is made clear that this Court has not expressed any views on the merits of the matter. All contentions of both the parties are kept open.

6. Writ Petition is allowed in aforesaid terms. Rule is made absolute accordingly. There shall be no order as to costs.

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

[R. N. LADDHA, J.]

[R. D. DHANUKA, J.]