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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12043 OF 2018

Mahadev J. Bhosale	...Petitioner
V/s.	
President / Secretary, Agrani Shikshan Prasarak Mandal & Ors.	...Respondents

Mr.Kishor Patil i/b Mrs.Aarti P. Bhide for the Petitioner.

Mr.Jitendra H. Oak for the Respondent No.1.

Mr.A.A. Alaspurkar, AGP for the State – Respondent Nos.3, 4 and 6.

CORAM : R.D. DHANUKA &
A.K. MENON, JJ.
DATE : 23RD AUGUST, 2021.

P.C. :-

1. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks an order and direction against the respondents to confirm the petitioner as deemed confirmed employees under section 5(2)(A) of the MEPS Act, 1977.

2. We have perused the affidavit in reply filed by the respondent no.3 and more particularly paragraph 2 stating that the management had not submitted any proposal to the Education Officer (Secondary), Zilla Parishad, Sangli in consonance with the Government Resolution dated 20th June, 2014 for approval to the

appointment of the petitioner hence returned back to the management.

3. Mr.Patil, learned counsel for the petitioner invited our attention to the letter dated 10th August, 2015 with letter dated 14th September, 2015 annexed at page 33 of the petition and would submit that the proposal was already submitted by the management to the Education Officer (Secondary).

4. Without going into the controversy as to whether the Education Officer (Secondary) has ignored the said proposal dated 10th August, 2015 or not, we direct the Education Officer (Secondary), Zilla Parishad, Sangli to dispose of the said proposal annexed to the petition within four weeks from today. It is made clear that all the contentions of both the parties are kept open.

5. The order that would be passed by the Education Officer (Secondary), Zilla Parishad, Sangli shall be communicated to the petitioner within one week from the date of passing such order. If the said order that would be passed by the Education Officer (Secondary) is adverse against the petitioner, the petitioner would be at liberty to file appropriate proceedings. Till such order is passed by the Education Officer (Secondary) and for a period of two weeks thereafter from the date of communication of the order if the order is passed by the Education Officer (Secondary), the management shall

not take any coercive steps against the petitioner.

5. The writ petition is disposed of in aforesaid terms. There shall be no order as to costs.

(A.K. MENON, J.)

(R.D. DHANUKA, J.)