

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

WRIT PETITION NO.7309 OF 2021

Tulshiram Mahadev Patil
Versus
State of Maharashtra & Ors.

.. Petitioner

.. Respondents

Mr.A.H. Fatangare for the petitioner.
Ms.Sushma S. Bhende, AGP for the respondent nos.1 & 2-State.

**CORAM : R.D. DHANUKA
ABHAYAHUJA, JJ.**
DATE : 17th November 2021

P.C.:-

. Mr.Fatangare, learned counsel for the petitioner seeks liberty to delete the names of the respondent nos.3 & 4. Leave to amend is granted to delete the names of the respondent nos.3 & 4. The petitioner is also granted leave to correct the date and year in prayer clause (a). Amendment to be carried out forthwith. Re-verification is dispensed with.

2. Rule. Ms.Bhende, learned AGP waives service for the respondent nos.1 & 2. By consent of parties, the petition is heard finally.

3. By this petition filed under Article 226 of the Constitution of India, the petitioner seeks an order and direction against the respondent no.2-Education Officer (Secondary) to decide the proposal submitted by the respondent no.4-Head Mistress/Head Master of Sarvajanik

Madhyamik Vidhyamandir at Rave, Tal-Pen, Dist. Raigad on 11th July 2013.

4. We accept the statement made by the learned counsel for the petitioner that the said proposal submitted by the management is pending since 11th July 2013. Since the said proposal is quite old, we direct the petitioner to furnish a copy of the said proposal duly acknowledged to the respondent no.2 within two weeks from today.

5. The respondent no.2 to consider the said proposal submitted by the management on 11th July 2013 and if the said proposal is not traceable in the records of the respondent no.2, the respondent no.2 to consider the copy of the said proposal that would be submitted by the petitioner within the time prescribed however within a period of four weeks from the date of submitting the photocopy by the petitioner.

6. The respondent no.2 shall communicate the order to the petitioner as well as the management within one week from the date of passing such order. If the proposal is accepted by the respondent no.2, all consequential benefits shall be provided to the petitioner by the respondent no.2 within six weeks from the date of passing such order. Name of the petitioner to be entered in Shalath ID, if applicable, within two weeks from the date of passing such order. If the order passed by the respondent no.2 is adverse against the petitioner, the respondent no.2 as well as the management shall not take coercive steps against the petitioner for a period of four weeks from the date of communication of the order.

7. This Court has not expressed any views on merits of the matter. All contentions of the parties are kept open. Rule is made absolute in the above terms. The petition is accordingly. No order as to costs. Parties to act on the authenticated copy of this order.

ABHAY AHUJA, J.

R.D. DHANUKA, J.