

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1245 OF 2022**

GOPAL CHANDRARRAO SHINDE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. S. G. Munde, Advocate for the Petitioner.

Mr. S. B. Yawalkar, AGP for Respondent Nos.1 and 2.

Mr. S. S. Manale, Advocate for Respondent Nos.3 and 4.

...

CORAM : R. D. DHANUKA &

S. G. MEHARE, JJ.

DATED : 24th MARCH, 2022.

PER COURT:-

1. The learned counsel for the petitioner invited our attention to the order dated 21.09.2021 passed by the Division Bench of this Court in Writ Petition No.7878/2021 filed by the petitioner and others directing respondent no.3 to take decision upon the representation of the petitioners within a period of eight weeks on its own merits and in accordance with law and policy.

2. The learned counsel for the petitioner states that, respondent no.3 has not complied with the said order passed by this Court.

3. The learned counsel invited our attention to the communication dated 21.12.2021 from respondent no.3 to the Divisional Commissioner seeking certain directions.

4. In our view, the order passed against respondent no.3 to decide the representation of the petitioner in accordance with law and policy and on its own merits ought to have been complied with by respondent no.3. However, as a last chance we grant four weeks time to respondent no.3 to decide the said representation on its own merits and in accordance with law and policy. The respondent no.3 shall consider the Government Resolution dated 27.02.2017 and Circular dated 07.07.2017, if the same are applicable to the facts of this case.

5. The order that would be passed shall be communicated to the petitioner within one week from the date of passing order. If the representation of the petitioner is decided in favour of the petitioner, the consequential benefits shall be granted within four weeks from the date of passing such order in favour of the petitioner and if the same is adverse against the petitioner, the petitioner would be at liberty to file appropriate proceeding.

6. Writ Petition is disposed of in aforesaid terms. No orders as to cost.

(S. G. MEHARE)
JUDGE

(R. D. DHANUKA)
JUDGE