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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

920 WRIT PETITION NO.2537 OF 2021

SHIVAJI CHATRU RATHOD AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr V. B. Jadhav, Advocate for petitioners;

Mr S. R. Yadav, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 1st March, 2022

PER COURT:

1. This petition has been filed in apprehension that, barring petitioner No.2, if the proposals of the petitioners are forwarded by the Headmasters of their respective schools to the Social Welfare Department, these proposals are not likely to be considered, and if they are considered, they are likely to be rejected, and therefore, the petitioners have rushed to this Court bypassing all the statutory authorities. Neither the Headmasters nor the concerned schools are made parties.

2. Nevertheless, we find that the petitioners should have actually approached their Headmasters. If the Headmasters are

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acting in a lethargic manner and not sending their proposals for benefits of the assured career progress scheme, whether it be under the 5th Pay Commission or 6th Pay Commission, then they could seek redressal before us.

3. In view of the above, this petition is disposed off. We find it appropriate to issue the following directions :

(a) Insofar as petitioner No.2 Abhimanyu Vitthal Chavan is concerned, the recommendation made by the Headmaster on 20/06/2018 to the Assistant Commissioner, Social Welfare Department, Osmanabad, respondent No.4 herein, shall be decided on its own merits, on or before 21/03/2022, keeping in view that the proposal is pending for more than 3 ½ years.

(b) The petitioner Nos.1 and 3 to 6 would approach their respective Headmasters of their schools and request them in writing, on or before 15/03/2022.

(c) The Headmasters shall prepare their proposals and forward the same to respondent No.4, on or before 31/03/2022.

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(d) Thereafter, respondent No.4 shall take a decision strictly in accordance with law and the scheme applicable to these petitioners.

4. Needless to state, we have not expressed any opinion upon the claims of all the petitioners and their claims would be considered on their own merits.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk