

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 3386 OF 2019

PRADIPKUMAR GYANOBA SOLANKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. V.M. Maney
AGP for Respondent Nos. 1 to 3 : Mr. A.S. Shinde
Advocate for Respondent No. 4 : Ms. N.B. Kamble
h/f. Mr. S.V. Adwant

**CORAM : C.V. BHADANG &
SANDIPKUMAR C. MORE, JJ.**

DATE : 27 JUNE, 2022.

ORDER :-

By this petition, the petitioner is challenging the communication dated 17th October, 2018 issued by the respondent No.2 refusing to grant approval to the promotion of the petitioner on the post of Professor under the Career Advancement Scheme (CAS). The approval has been rejected by respondent No. 2 on the ground that as per the 5th Pay Commission, the petitioner was not found to have published four papers in the National or International Journals

after 29th October, 2002. As the said condition is not complied with till 16th October, 2015, the approval to the appointment of petitioner has been rejected.

2. The learned counsel for the petitioner has produced details of papers published at page Nos. 20 and 21 of the compilation.

3. We find that some of the papers published are of June 2002, August 2007 and July, 2008. At page 22, the petitioner has produced the details of the National / International Conferences he had attended. According to the learned counsel, the petitioner has complied with the said requirement.

4. Be that as it may, considering that there is a dispute, as to whether the petitioner has published the required number of papers in the National and International Journals, as per the requirement, we find that it would be appropriate, if the respondent No. 2 reconsiders the proposal of petitioner for grant of approval after giving opportunity to him to produce the relevant record about such publication.

5. Thus, the petition is partly allowed. The impugned order is hereby set aside. Respondent No. 2 shall reconsider the proposal for grant of approval in accordance with law, after giving opportunity to the petitioner to furnish the required information about the publication of papers in the National and International Journals. The proposal will be decided as expeditiously as possible and preferably

within two months from today.

6. Writ petition is disposed of in above terms, with no order as to costs.

SANDIPKUMAR C. MORE, J.

C.V. BHADANG, J.

grt/-