

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

119 WRIT PETITION NO. 6609 OF 2020

SANJAY BHANUDAS RANKHAME AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Yashodeep Deshmukh h/f
Ms. Vaidehi P. Deshmukh

AGP for Respondent Nos 1 & 2 : Mr. A.R. Kale

Advocate for Respondent No. 3 : Mr. S.S. Thombre

Advocate for Respondent No. 4 : Mr. V.V. Bhavthankar

Advocate for Respondent No. 5 : Mr. A.D. Ostwal

Advocate for Respondent No. 6 : Mr. P.P. Shahane

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**CORAM : S. V. GANGAPURWALA AND
S. G. DIGE, JJ.**

DATE : 21st FEBRUARY, 2022

PER COURT :-

1. The grievance of the petitioners appears to be that appointment of the petitioners is approved and without issuing notice to the petitioners, approval order has been stayed. The petitioners are not getting salary since September, 2020. The learned counsel for petitioners submits that the said order is passed behind back of the petitioners and without notice to the petitioners.

2. Mr. Thombre, the learned counsel appears for University. Mr. Shahane, learned counsel appears for respondent No. 6 and Mr. Bhavthankar, learned counsel appears for respondent No. 4.

3. It appears that, initially approval was granted to the appointments of the petitioners for a period of one year i.e. for probation period. The same was granted on or about 2nd September 2020. Subsequently, under order dated 9th September, 2020 said approval is stayed. Because of the order of stay, petitioners are not paid salary since then.

4. The learned counsel submits that no final decision has been taken pursuant to the stay granted to the approval order.

5. In light of the above, we pass the following order.

ORDER

(i) Respondent No. 3/Competent Authority shall take final decision with regard to approval of the petitioners on its own merits and in accordance with law after hearing all the parties concerned.

(ii) The parties are at liberty to place on record the documents, on which they rely.

(iii) The parties shall appear before Respondent No. 3/Competent Authority on 8th March, 2022 and may place on record the documents, on which they rely.

(iv) Respondent No. 3/Competent Authority after considering the documents placed on record and hearing the parties shall take final decision upon the approval of the petitioners, preferably by 15th April, 2022.

6. Writ petition is disposed of. No costs.

(S.G. DIGE)
JUDGE

(S.V. GANGAPURWALA)
JUDGE