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

964 WRIT PETITION NO.7129 OF 2022

LAXMI SHIKSHAN PRASARAK MANDAL,
MUKRAMABAD, THROUGH ITS PRESIDENT KESHAV
RAOSAHEB SHINDE

VERSUS

THE STATE OF MAHARASHTRA, THROUGH SECRETARY
AND OTHERS

....

Mr S. B. Gastgar, Advocate for petitioner;

Mr S. G. Karlekar, A.G.P. for respondents/State

**CORAM : RAVINDRA V. GHUGE
AND
ANIL L. PANSARE, JJ.**

DATE : 12th July, 2022

PER COURT:

1. The petitioner/Institution has put forth prayer clauses (B), (C) and (D), which read as under :-

“(B) By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature respondents may kindly be directed to accord approval to the non-teaching 06 staff members working on post of Physiotherapist, Hostel Superintendent, Cook, Sweeper and Watchman since their appointments in Zolebaga Nivasi Apang Vidyalaya, Naygaon Tq. Naygaon Dist. Nanded.

(C) By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature to direct the respondents to pay arrears of salary non-

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teaching 06 staff members working on post of Physiotherapist, Hostel Superintendent, Cook, Sweeper and Watchman since their appointments in Zolebaga Nivasi Apang Vidyalaya, Naygaon Tq. Naygaon Dist. Nanded since date of their appointment.

OR

(D) By issuing writ of mandamus or any other appropriate writ, order or directions in the like nature to direct respondent authorities to decide representations dated 04.07.2016, 02.08.2017, 05.08.2018, 10.07.2019, 07.10.2020, 08.09.2021, 04.02.2022, 07.02.2022, 09.02.2022, 07.03.2022 and 08.03.2022 made by petitioner institute for grant of approval to its 06 non-teaching employees from the date of their appointments, within stipulated period of two months.”

2. Since the petitioner is pressing prayer clause (D), we are not issuing notice to respondent No.3, as we are only directing him to consider the representations strictly in accordance with law.

3. We are of the view that, if this issue can be considered in accordance with the law by the District Social Welfare Officer, Zilla Parishad, Nanded, there is no reason for this Court to exercise its jurisdiction at this stage.

4. In view of the above, this petition is disposed off, with a direction to respondent No.3 to decide the representations, dated 04/07/2016, 02/08/2017, 05/08/2017, 10/07/2019, 07/10/2020,

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08/09/2021 and 04/02/2022, which are addressed to him. Needless to state, respondent No.3 shall consider the said representations, strictly within the framework of law and by following the due procedure, as expeditiously as possible and preferably, on or before 15/10/2022.

(ANIL L. PANSARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk