

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

45 WRIT PETITION NO.7939 OF 2022

**NILKAMAL VASANT BHOLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

...
Advocate for Petitioner : Mr. Patil Vinod Prakash
AGP for Respondent/State : Mr. A.R. Kale
...

**CORAM : RAVINDRA V. GHUGE &
ARUN R. PEDNEKER, JJ.**

DATED : SEPTEMBER 6th, 2022.

PER COURT :

1. The petitioner's proposal forwarded by the management dated 1.7.2022 is with respondent No. 4 – Education Officer (Secondary). This petition is filed on 12.7.2022 i.e. within 11 days of the filing of the proposal. Writ of mandamus in such matters is not to be issued since it amounts to abuse of the process of law.
2. The learned AGP, appearing on behalf of the respondents, in the light of the prayers of the petitioner, submits that as the petitioner is working since 8.9.2010 and the management has forwarded the proposal on 1.7.2022, the Education Officer would decide the same, strictly in accordance with the rules applicable.
3. In view of the above, this petition is disposed off. We expect the Education Officer (Secondary) to decide the said proposal of the petitioner, as expeditiously as possible and preferably, on or before

21st October, 2022. We make it clear that this proposal would be considered strictly in accordance with the rules applicable. If there are any defects or deficiencies, the Education Officer (Secondary) would direct the management to remove such defects/deficiencies.

[ARUN R. PEDNEKER J.]

[RAVINDRA V. GHUGE, J.]

SSC/