

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.8079 OF 2022

SANJAY ASARAM SUPEKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS
WITH
WRIT PETITION NO.8099 OF 2022

ANANTA BABAN KOLHE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS
WITH
WRIT PETITION NO.8107 OF 2022

AVINASH DAYANAND SONKAMBLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.S.S.Jadhavar, Advocate for the petitioners.
Mr.P.S.Patil, A.R.Kale, P.K.Lakhotiya, AGPs' for State.

**(CORAM : RAVINDRA V. GHUGE AND
ARUN R. PEDNEKER, JJ.)**

DATE : AUGUST 5, 2022

PER COURT :

1. In the first petition, going by the documents placed before us, the petitioner was appointed vide appointment order dated 16.02.2021

after purportedly publishing an advertisement in "Dainik Punya Nagari" dated 14.02.2021 "walk in interview". The post on which the petitioner was appointed fell vacant 9 months thereafter when Smt.Rashmi Yeolekar superannuated on 30.11.2021. The learned Advocate for the petitioner submits that this may be a typographical mistake and probably the post occupied by Smt.Yeolekar may have fallen vacant in 2020. Nevertheless, the proposal for seeking approval to the appointment of the petitioner is forwarded on 06.06.2022 and this petition praying for a writ of mandamus, is filed on 20.06.2022. We find that the petitioner has abused the process of Law. This petition is, therefore, dismissed.

2. In the second petition, the approval application is pending for more than 3 years. To be specific, the petitioner in the second petition Ananta was appointed on 31.10.2015 and the proposal for seeking approval was forwarded on 01.11.2015. As such, in this matter, we would expect respondent No.2 / Education Officer, Secondary to initiate appropriate steps and by strictly following the procedure as well as the Law applicable, would scrupulously verify the proposal and pass an appropriate order, on or before 15.10.2022.

3. In the 3rd petition, the petitioner Avinash was appointed on 31.03.2020. The proposal for seeking approval was forwarded on 01.04.2020. As such, in this matter we would expect respondent No.2 / Education Officer, secondary to initiate appropriate steps and by strictly following the procedure as well as the Law applicable, would scrupulously verify the proposal and pass an appropriate order, on or before 15.10.2022.

4. Both these petitiones are disposed off.

(ARUN R. PEDNEKER, J.)

(RAVINDRA V. GHUGE, J.)