

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 13621 OF 202

GAJANAN VISHWANATH NAWALKAR

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Petitioner : Mr. V.Y. Patil
AGP for Respondent No. 1 : Mr. P.S. Patil
Advocate for Respondent No. 3 : Mr. A.B. Shinde
Advocate for Respondent No. 4 : Mr. S.A. Patil
h/f. Mr. V.D. Salunke

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

DATE : 19 JULY, 2022.

ORDER :-

The petitioner claims to be without salary on account of the fact that the proposal for the approval of his appointment is pending with the respondent / Social Welfare Officer. The petitioner has sought a direction to respondent Nos. 4 and 5 to complete the necessary formalities and to clear the lacuna in the proposal, if any, for approval to the appointment of the petitioner as a special teacher.

2. Learned counsel for the petitioner has pointed out the communication dated 18 August, 2021, from the District Social Welfare Officer, Zilla Parishad, Nanded, calling upon respondent Nos. 4 and 5 to make compliance by forwarding the roaster else at the request of initiation of some Administrative action. Till today, it is claimed that the compliance is not made. Respondent No. 5 is not yet served.

3. We have considered the circumstances and the submissions made.

4. In this case, we are not proposing to pass any adverse order against respondent Nos. 4 and 5. The petitioner's claim is that respondent Nos. 4 and 5 should comply with the requisition of the Social Welfare Officer (page 51 of the compilation). After such, compliance is made, it is for respondent No. 3 – Social Welfare Officer, to consider the proposal, on its own merits and in accordance with law.

5. In that view of the matter, the petition is disposed of by directing respondent Nos. 4 and 5 to comply with the requirement / requisitions made by respondent No. 3 vide letter dated 18 August, 2021, within a period of four weeks from today.

6. Upon such, compliance being made, respondent No. 3 shall consider and decide the proposal in the facts and circumstances of the case and in accordance with law, within a period of six weeks

thereafter.

7. The petition is disposed of in the aforesaid terms.

SANDIPKUMAR C. MORE, J.

C.V. BHADANG, J.

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