

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

33 WRIT PETITION NO.14683 OF 2021

**KIRAN BABASAHEB NAVLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY
AND OTHERS**

...
Advocate for Petitioner : Mr. Londhe Shashikant Sakharam
AGP for Respondents : Mr. K.N. Lokhande
...

**CORAM : A.S. GADKARI &
S.G. MEHARE, J.J.**

DATED : 03rd JANUARY, 2022

PER COURT:-

1. It is the grievance of petitioner that, the respondent nos.6 and 7 are not co-operating with the respondent no.5 in deciding the representation of petitioner as claimed in prayer clause (C), for absorbing him in the respondent no.7 – school. Petitioner is claiming absorption in the respondent no.7 – school in pursuance of Government Resolution dated 13.07.2016 and Corrigendum dated 27.10.2016 issued by the respondent no.1.

2. Learned advocate for the petitioner tendered across the bar a communication dated 22.06.2021 addressed by respondent no.5 to respondent nos.7 and 6 respectively, thereby calling upon certain information from them for considering the case of the petitioner. Learned advocate for the petitioner submitted that respondent nos.6 and 7 are not co-operating with respondent no.5 in considering the representation of the petitioner.

3. It is to be noted here that if respondent nos.6 and 7 are not co-operating with respondent no.5, respondent nos.1 to 5 are having adequate and necessary powers under the law to call for the necessary information from them and / or to adopt appropriate remedial measures in case of non-compliance of their directions. In view thereof, and without hearing respondent nos.6 and 7, the contention of petitioner cannot be accepted as an admitted fact.

4. Perusal of the petition would indicate that, the petition suffers from multifariousness of causes of action. As far as prayer clauses (B) and (C) are concerned, in view of the above, it appears to us that the said respondents have already taken necessary steps for redressing grievance of the petitioner.

5. As far as prayer clause (D) is concerned, the petitioner is at liberty to adopt appropriate procedure for correction in the date of his appointment.

6. In view of the above, we find that nothing further survives in the petition and is accordingly disposed off.

(S.G. MEHARE. J.)

(A.S. GADKARI, J.)