

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3260 OF 2019

Mahadeo Vitthal Bhise ... Petitioner.

V/s.

New English School, Karkamb, Pandharpur
through Head Master & Others

... Respondents.

Mr. I.M. Khairdi, for the Petitioner.

Mr. Sandeep S. Salunkhe, for Respondent Nos. 1 and 2.

Mrs. P.J. Gavhane, AGP, for Respondent Nos. 3 to 5-State.

**CORAM : NITIN JAMDAR AND
AMIT B. BORKAR, JJ.**

**DATE : 6 JANUARY 2022.
(Through Video Conferencing)**

P.C. :

Heard learned Counsel for the Petitioner. The Petitioner is seeking a direction to the Respondent Nos. 1 and 2 – Management to submit a proposal for grant of approval to the post of the Petitioner from 15 June 2011 as Assistant Teacher and further direction to the Respondent Nos. 3 to 5 – Education Authorities to process the same and release the salary.

2. Firstly, we do not find any representation made by the Petitioner to the Respondent – Management to forward the proposal. Even otherwise, the Petitioner as on date is stated to be working.

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Even if approval is not granted to the post the Petitioner is holding, the pay as admissible to the Petitioner under the provisions of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977 and the Rules framed thereunder cannot be prejudiced. Neither the Petitioner can be terminated on the sole ground that there is no approval.

3. In light of the position which is clarified above, it is not necessary to entertain this Petition. The Writ Petition is disposed of.

(AMIT B. BORKAR, J.)

(NITIN JAMDAR, J.)