

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7958 OF 2022

Deepak Chandrakant Khade & Ors. ...Petitioners

Versus

The State of Maharashtra
Thr. The Principal Secretary Dept. of
School Education, Thr. Its Principal Secretary ...Respondents

Mr.Chetan Patil i/b Mr.Mandar Bagkar for the Petitioners.
Mr.S.B. Salel, AGP for Respondent-State.

CORAM : S.V. GANGAPURWALA &
S.M. MODAK, JJ.

DATE : 7 JULY 2022

P.C:-

. The proposal seeking approval to the appointment of the Petitioner as a Peon is rejected. The learned counsel submits that the Petitioner was appointed on 1 June 1998. The proposal for approval was submitted in 16 September 1998. Same was not being decided. The Petitioner filed Writ Petition No.3658 of 2010. This Court, under order dated 8 June 2010 directed the Education Officer to decide the proposal within two months. The said proposal is rejected under the impugned order. One of the reasons given is that the proposal is submitted after 20 years i.e. in the year 2021. Same does not appear to be correct in view of the record before this Court.

2. As far as other aspects for rejection is concerned, the Management may place on record additional documents before the Education Officer.

3. In light of above, the impugned order is quashed and set aside.

4. The Petitioner and/or Management shall produce the documents such as the advertisement issued, staffing pattern of the relevant time etc. before the Education Officer.

5. The Education Officer thereafter shall take decision on its own merits, preferably within four months from the date the Petitioner and/or Management submits the documents.

6. The Writ Petition is disposed of. No costs.

(S.M. MODAK, J.)

(S.V. GANGAPURWALA, J.)