

JPP

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 5738 OF 2021

Satish Shivappa Bali

... Petitioner

V/s.

State of Maharashtra and Ors.

... Respondents

Mr. Y.B. Lengare for the Petitioner

Ms. P.N. Diwan, AGP for the Respondent - State

***CORAM : NITIN JAMDAR &
AMIT BORKAR, JJ.***

***DATE : 19 JANUARY 2022
(Through Video Conferencing)***

P.C. :-

The Petitioner is aggrieved by the order dated 19 December 2015 whereby the proposal for approval of the Petitioner's appointment as a Peon with effect from 17 December 2007 has been rejected by the Respondent – Educational Officer. The Petitioner had earlier filed a Writ Petition No.4347 of 2016 which was disposed of on 23 March 2021 noting that there were three grounds of challenge in the impugned order and for two of the grounds, the

Petitioner had not provided any particulars at all and therefore, the Petitioner has filed this fresh Petition.

2. Though the learned AGP seeks time to take instructions and file reply affidavit, we are of the opinion considering the order is passed in November 2015 and the grounds of challenge now set out in the Petition were not pointed out to the Education Officer, it would be appropriate that the Education Officer is directed to take a fresh decision considering the issue raised by the Petitioner in this Petition.

3. Let the fresh decision be taken within a period of six weeks and thereafter, communicated to the Petitioner. Office of the Government Pleader will forward the copy of this Petition to the Education Officer where the Petitioner has raised his ground of challenge.

4. Writ Petition is accordingly disposed of.

AMIT BORKAR, J.

NITIN JAMDAR, J.