

Digitally
signed by
TRUSHA
TUSHAR
MOHITE
Date:
2022.07.04
11:15:09
+0530

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

CONTEMPT PETITION NO.250 OF 2018

Shri Mahendra Atmaram Kalekar

..... Petitioner

Vs.

The State of Maharashtra and Ors.

..... Respondents

Mr.Narendra V. Bandiwadekar a/w Mr.Vinayak Kumbhar i/b
Ms.Ashwini Navjyot Bandiwadekar for the Petitioner

Mr.V.M.Mali, A.G.P. for the State

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

DATED : JUNE 30, 2022

P.C.

1. The Contempt Petition is filed on the ground that the proposal for approval is not yet decided inspite of the directions of this court.

2. The learned A.G.P. submits that the proposal has been decided now and the same is rejected. The learned counsel for the petitioner submits that the proposal is decided without considering the documents which were placed by the petitioner. Earlier the Education Officer had informed that the hearing would be accorded to the petitioner. However, Education Officer was transferred and

new Education Officer, just to get over the order passed by this court, in casual manner, rejected it without hearing. The learned A.G.P. submits that as there were deficiencies, the Education Officer had no option but to reject the proposal for approval.

3. The order is passed by this court way back in the year 2016 directing the Education officer to decide the proposal. The same it appears, is decided after six years and that too in sleek short manner.

4. We set aside the order dated 28.06.2022 passed by Education Officer seeking approval to the appointment of the petitioner herein. Documents which the Education Officer states are deficient, may be filed by the petitioner and or institution within fifteen days with the Education Officer. Education Officer shall consider the documents placed by the petitioner and take decision upon the proposal afresh within three months from the date the petitioner submits all the documents. Petitioner may represent before the Education Officer.

4. With the aforesaid directions, Contempt Petition is disposed of.

(S. M. MODAK,J.)

(S.V. GANGAPURWALA, J.)