

AGK

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5062 OF 2019

Rahul Ravindranath Upadhyay & Another ... Petitioners.
V/s.

The State of Maharashtra, through its
Secretary & Another ... Respondents.

Mrs. A.N. Bandiwadekar, for the Petitioners.

Mr. S.B. Kalel, AGP, for Respondent Nos. 1 & 2 – State.

**CORAM : SUNIL B. SHUKRE, AND
AMIT BORKAR, JJ.**

DATE : 23rd FEBRUARY 2022.

P.C. :

1. Heard. Rule. Rule made returnable forthwith. Heard finally by consent.

2. It is not in dispute that Petitioner No. 1 is working as Shikshan Sevak in the school which is run by Petitioner No. 2, Minority Institution. It is also not in dispute that Petitioner No. 2 is a Minority Institution. We are, therefore, of the view that the proposal received by Respondent No. 2 seeking approval to the appointment of the Petitioner No. 1 as Shikshan Sevak would have to be considered and decided by the Respondent No. 2 at the earliest

bearing in mind this aspect.

3. The petition is partly allowed. Respondent No. 2 is directed to decide the proposal dated 20th December 2018 received by him from Petitioner No. 2 seeking approval to the appointment of Petitioner No. 1, in accordance with law and bearing in mind the fact that Petitioner No. 2 is a Minority Institution, at the earliest and in any case within eight weeks from the date of receipt of this order.

4. In case approval is granted to the appointment of Petitioner No. 1, Shalarth ID shall be allotted to Petitioner No 1 without any further delay and salary grants would also be accordingly released at the earliest.

5. The Writ Petition is disposed of accordingly. No costs.

(AMIT BORKAR, J.)

(SUNIL B. SHUKRE, J.)