

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

WRIT PETITION NO. 8096 OF 2022

Vaibahv Bajirao Patil And Ors.

...Petitioners

vs.

The State of Maharashtra

Thr. Secretary School Education

Dept. and Ors.

...Respondents

Mr. Laxman Deshmukh - Advocate for the Petitioners

Mr. V. M. Mali - AGP for the Respondent-State

CORAM :

S.V. GANGAPURWALA AND

S. M. MODAK, JJ.

DATE :

11th JULY, 2022

P. C. :-

1. The proposal seeking an approval to the appointment of the Petitioner No. 1 as a 'Junior Clerk' is rejected.
2. The Petitioner No. 1 claims to have been appointed as a 'Junior Clerk' on 03/11/2018. The proposal seeking approval to his appointment is rejected on the basis of Government Resolution dated 04/05/2020.
3. As the Petitioner is appointed on 03/11/2018, the proposal seeking the approval to the appointment of the Petitioner cannot be rejected on the basis of the subsequent Government Resolution dated 04/05/2020.
4. The position existing as on the date the Petitioner is appointed

need to be considered.

5. In light of the above, the impugned Order is quashed and set aside.

6. The Education Officer shall decide the proposal for seeking approval to the appointment of the Petitioner afresh on its own merits.

The same shall be decided preferably within six months.

7. Writ Petition is disposed of. No costs.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]