

Vidya Amin

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

WRIT PETITION NO. 11301 OF 2022

Ravindrakumar Gajanan Khilare

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

Mr. N.V. Bandiwadekar i/b Ms. Ashwini N. Bandiwadekar for the petitioner.

Mr. S. H. Kankal, AGP for the State.

**CORAM : S.V. GANGAPURWALA &
R.N.LADDHA, JJ.**

DATE : SEPTEMBER 28, 2022.

P.C.:

1. The proposal seeking approval to the promotion of the petitioner from the post of Peon to Junior Clerk is rejected.
2. It is the contention of the petitioner that the petitioner was appointed as Peon on 1st August, 1996. The appointment on the post of peon is approved by the Education Officer on 15th February, 1997. The petitioner is promoted as a Junior Clerk on 1st August, 2005. The approval is rejected on the basis of Government Resolution dated 12th February, 2015 and 23rd October, 2013.
3. The Government Resolution dated 23rd October, 2013 and/or 12th February, 2015 would not apply in the present matter. The petitioner claims to have been promoted as a Junior Clerk on 1st August, 2005 much prior to the enforcement of the Government Resolutions in

question. The position as of the date the petitioner was promoted as Junior Clerk shall have to be taken into consideration. In light of that, the order rejecting the proposal seeking approval to the promotion of the petitioner is set aside.

4. The Education Officer shall reconsider the proposal seeking approval to the promotion of the petitioner as Junior Clerk and decide the same on its own merits and in accordance with law and policy, expeditiously, preferably within four months.

5. Writ Petition is disposed of. No costs.

(R.N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)