

Prajakta Vartak

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

WRIT PETITION NO. 13206 OF 2022

Swarajya Education Society & Ors.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Utkarsh Desai i/b. Mr. Prashant Bhavake for the Petitioners.

Mr. S. B. Kalel, AGP for State.

**CORAM : S.V. GANGAPURWALA &
S.G. DIGE, JJ.**

DATE : 17 NOVEMBER 2022

PC:-

1. The proposal of the petitioners seeking approval to the appointment of petitioner no.3 as a Junior Clerk is rejected.
2. We have heard learned counsel for the petitioners and the learned AGP for the State.
3. The proposal is rejected on the basis of a G.R. dated 04 May, 2020. The petitioner no.3 was appointed on 01 April, 2017. The G.R. dated 04 May, 2020 will not have retrospective effect and would not affect the appointment made on 01 April, 2017. No other reason has been given in the impugned order.
4. In light of that, the impugned order is quashed and set aside. The Education Officer shall reconsider the proposal of the petitioners seeking approval to the appointment of petitioner no.3

on its own merits in accordance with law and policy existing as on the date of the appointment of petitioner no.3. The same shall be decided expeditiously, preferably within 6 months.

5. Writ petition is disposed of accordingly. No costs.

(S.G. DIGE, J.)

(S.V. GANGAPURWALA, J.)