

Digitally
signed by
RAJU
DATTATRAYA
GAIKWAD
Date:
2022.10.18
14:01:54
+0530

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12261 OF 2022

Prashant Shankar Patil ... **Petitioner**
Versus
The State of Maharashtra & Ors. ... **Respondents**

Mr. Chetan Patil i/b. Mr. Mandar Bagkar, Advocate for the
Petitioner.

Mr. S. B. Kalel, AGP for the Respondents/State.

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

DATED : OCTOBER 17, 2022

P.C.

1. The learned Counsel for the petitioner submits that the petitioner is appointed in the year 2014 as peon. The proposal seeking approval to the appointment of the petitioner is rejected relying upon the Government Resolutions dated 28th January 2019 and 11th December 2020.

2. We have heard learned AGP for respondent Nos.1,2 and 3.

3. The petitioner claims to have been appointed in the year 2014. The proposal seeking approval to the appointment of the petitioner is rejected relying upon the Government Resolutions in the year 2019 and 2020.

4. The position existing so also the Rules and the

executive instructions operating as on date the petitioner was appointed shall have to be taken into consideration.

5. In light of that, the impugned order is quashed and set aside.

6. The Education Officer shall reconsider the proposal seeking approval to the appointment of the petitioner as peon on its own merits in accordance with law and shall not be rejected on the basis of Government Resolutions dated 28th January 2019 and 11th December 2020. The same shall be decided expeditiously preferably within four months.

7. The writ petition is disposed of. No costs.

(R. N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)