

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10503 OF 2022

Arvind Yashwant Surve & Anr. ... **Petitioners**
Versus
The State of Maharashtra & Anr. ... **Respondents**

WITH

WRIT PETITION NO. 10504 OF 2022

Prashant Vijay Salvi & Anr. ... **Petitioners**
Versus
The State of Maharashtra & Anr. ... **Respondents**

Mr. N. V. Bandiwadekar i/b. Mrs. Ashwini N. Bandiwadekar,
Advocate for the Petitioners.

Mr. V. M. Mali, AGP for the Respondents/State.

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

DATED : SEPTEMBER 6, 2022

P.C.

1. The proposal seeking approval to the appointment of the petitioners as 'Peon' is rejected.
2. Heard the learned Counsel for the petitioners and learned AGP.
3. The petitioners claim to have been appointed in the year 2010. The proposal is rejected on the basis of Government Resolution dated 12th February 2015 and 7th March 2019.

4. In fact, as the petitioners are appointed in the year 2010, the subsequent Government Resolutions would not apply to the petitioners. The Government Resolutions and/or law existing on the date the petitioners are appointed will have to be taken into consideration.
5. In light of that, the impugned orders are quashed and set aside.
6. The Education Officer shall reconsider the proposals seeking approval to the appointments of the petitioners on the basis of position existing on the date the petitioners are appointed.
7. The Education Officer shall take decision on the proposals afresh preferably within six months.
8. The writ petitions are disposed of. No costs.

(R. N. LADDHA, J.)

(S.V. GANGAPURWALA, J.)

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