

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 4565 OF 2022

Rupesh Suryabhan Bhawe

vs.

State of Maharashtra, School Education Department, Mantralaya, Mumbai and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri I. N. Choudhari, Advocate for petitioner.

Shri D. P. Thakre, Additional Government Pleader for respondent nos. 1 and 2.

CORAM :- A.S.CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE :- AUGUST 04, 2022

P. C.

Considering the limited prayer made in this writ petition, notice to the respondent nos. 3 and 4 is dispensed with. Shri D. P. Thakre, learned Additional Government Pleader waives service of notice on behalf of the respondent nos. 1 and 2.

2. **Rule.** Rule made returnable forthwith and heard the learned counsel for the parties.

3. The petitioner was appointed on the post of 'Peon' on 22.06.1997. However, his services came to be terminated on 27.08.2004. The School Tribunal allowed the appeal preferred by the petitioner and the order of reinstatement has been upheld by this Court in Writ Petition No.3057 of 2010. Pursuant to the order passed in Writ Petition No.3833 of 2018, the petitioner was reinstated in service on 12.03.2019. Thereafter on 26.09.2019 the respondent no.4-Head Master has forwarded the proposal for seeking approval to the petitioner's appointment. This proposal is stated to be pending as per the information received under the

Right to Information Act, 2005 by the petitioner.

4. In these facts, the writ petition is disposed of by directing the respondent no.2-Education Officer (Secondary) to decide the aforesaid proposal dated 26.09.2019 within a period of four weeks from the receipt of copy of this order. If necessary, the Management can be granted opportunity of hearing by the Education Officer (Secondary). Decision taken shall be communicated to the respondent no.4-Head Master.

Rule is made absolute in aforesaid terms. No costs.

(URMILA JOSHI-PHALKE, J.)

(A.S.CHANDURKAR, J.)

Andurkar..