

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2231 OF 2023

- 1) Datta s/o Narayan Levde
2) Vaibhav s/o Gajanan Suralkar ... **Petitioners**

VERSUS

- 1) The State of Maharashtra
and others ... **Respondents.**

...

Advocate for the Petitioner : Mr. Patil N.P. Jamalpurkar
A.G.P. for the Respondent Nos. 1 to 4 : Mr. S.G. Sangale

CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.
DATE : 26.07.2023

PER COURT :

Heard.

2. The petitioners have prayed as per prayer clauses B, C and D, which read as under :-

“B) The respondent nos.2 & 3 may please be directed to forthwith grant approval to the appointments of the petitioners as Higher Secondary Teacher from the dates of their initial appointments i.e. 01.10.2022 and 01.12.2020, by issuing writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus.

C) The respondents no.1 to 4 may please be directed to forthwith sanction, release & pay the arrears of salary in favour of the petitioners from the dates of their initial appointments i.e. 01.10.2022 and 01.12.2020 and further pay them monthly regular salary henceforth, by issuing writ of mandamus or any other appropriate writ, order or directions in the nature of writ of mandamus.

D) Pending hearing and final disposal of this Writ

Petition, the respondents no.1 to 4 may please be directed to forthwith sanction, release & pay the arrears of salary in favour of the petitioners from the dates of their initial appointments i.e. 01.10.2022 and 01.12.2020 and further pay them monthly regular salary henceforth.”

3. Across the Bar, the learned advocate for the petitioners submits, on instructions, that they would not press for a direction of this Court to grant approvals. They would only pray that the proposals with regard to these petitioners may be considered for approval by the competent authority in the light of the Government Resolutions dated 21.01.2013, 08.03.2019 and 23.03.2022.

4. The learned advocate for the petitioners further submits that the petitioners desire to make a comprehensive representation to the competent authority.

5. The learned AGP submits that it is for the competent authority to look into as to which Government Resolution would be applicable. As the petitioners have cited three Government Resolutions, the competent authority would consider the issue in the light of all such Government Resolutions as would be applicable to the cases of the petitioners.

6. In view of the above, the Writ Petition is disposed off with the direction that if comprehensive representations are tendered by the petitioners to the competent authority, it would be the competent authority, vested with the jurisdiction by law, which would consider the said representations in the light of all such Government Resolutions as are applicable, within a period of THREE MONTHS from the date of receipt of such representations.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-