

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

15 WRIT PETITION NO.2221 OF 2023

RAGHUNATH RAOSAHEB JADHAV
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. V. S. Panpatte.
AGP for Respondent/State : Mr. P. S. Patil.
...

AND

46 WRIT PETITION NO.2302 OF 2023

RAVIKANT SHIVSHANKAR KARAD
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. V. S. Panpatte.
AGP for Respondent/State : Mr. S. S. Sangle.
...

AND

64 WRIT PETITION NO.2327 OF 2023

MAHESH PRAKASH SABNE
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH ITS SECRETARY AND OTHERS

...
Advocate for Petitioner : Mr. V. S. Panpatte.
AGP for Respondent/State : Mr. V. M. Kagne.
...

CORAM : **RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**

DATE : 27th February, 2023.

Per Court:

1. All these petitioners are identically placed. In Writ Petition No.2221 of 2023, the petitioner has put forth prayer clauses 'C' to 'E' as under:-

- “C) By issue of Writ of mandamus or any other appropriate writ or direction in the like nature, the respondent no. 2 may please be directed to decide the pending proposal dated 16.07.2021 (Exh. R Colly) and grant permanent approval to the appointment of the petitioner as full time teacher / instructor (practical) within a period of four weeks.
- D) By issue of Writ of mandamus or any other appropriate writ or direction in the like nature, the respondent no. 2 – Joint Director of Vocational Courses may please be directed to grant permanent approval to the post of petitioner as full time teacher / instructor (practical) working with the respondent no. 6 – College within a period of six weeks and further respondent no. 3 may please be directed to sanction and disburse his arrears and salary from 15.06.2021 as full time teacher / instructor (practical) till today working with the respondent no. 6 – College with interest thereon within a period of four weeks.
- E) By issue of Writ of mandamus or any other appropriate writ or direction in the like nature, the respondent nos. 5 and 6 may kindly be directed to forthwith submit the bill towards different salary of the petitioner to the respondent nos. 2 and 3 and respondent nos. 2 and 3 may please be directed to release the said arrears of the salary of the petitioner within a period of four weeks from the date of receipt of such pay bills and further to release the monthly regular salary of the petitioner.”

2. The grievance is that the statutory authorities are demanding that the petitioners should be granted a permanent approval. According to the petitioners, their approvals are already granted and this would amount to a second approval. The proposals dated 16th July, 2021, 22nd January, 2021 and 19th January, 2022, respectively, are already tendered to respondent No.2.

3. The management has taken a stand that continuation is granted to the petitioners. In this backdrop, if the petitioners are working as full time teacher / instructor, the authorities would consider whether an approval to their appointments is sufficient or whether they need to be granted approval every time, their engagement is continued for further periods.

4. Considering the above, these petitions are disposed off with a direction to respondent No.2 to decide the proposals dated 16th July, 2021, 22nd January, 2021 and 19th January, 2022 on their own merits. We indicate that the said authority, while considering the said proposals, would first decide as to whether a second approval is necessary. Let this exercise to be completed on or before 15th April, 2023.

[SANJAY A. DESHMUKH, J.]

[RAVINDRA V. GHUGE, J.]