

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1015 CONTEMPT PETITION NO.403 OF 2022
IN WP/13057/2019

SIDDHESHWAR VINAYAK GUTTE
VERSUS
SHRI. SECRETARY SCHOOL EDUCATION DEPARTMENT AND
OTHERS

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

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**CORAM : R.G. AVACHAT AND
SANJAY A. DESHMUKH, JJ.
DATED : 20th JUNE, 2023.**

PER COURT :-

1. Heard.
2. The order dated 12th October, 2021 reads thus :-

“3. In light of the above, the impugned order is quashed and set aside. The authority shall reconsider the proposal seeking approval to the appointment of the petitioner afresh and shall not reject it on the ground of Government Resolution as referred to in the order and also Government Resolution dated 11.12.2020. The same shall be decided as expeditiously as possible, preferably within a period of four months.”

3. The respondents have come with an affidavit to have considered the proposal of the petitioner and turned down the same on the basis of Government Resolution dated 12th February, 2015. The clause (3) of the order aforesaid indicate that the authorities concerned were directed not to turn down the proposal of the petitioner relying upon the Government Resolution dated 11th December, 2020. Since, the proposal has been turned down relying on some other Government Resolution, namely Government Resolution dated 12th February, 2015, the petitioner may avail remedy elsewhere to challenge the said decision.

4. According to the learned Advocate, the said Government Resolution was subject matter of Writ Petition wherein the order has been sought to be complied with. Since the same is not reflected in the order dated 12th October, 2021, the petitioner, if so advised, may approach the Court/Bench concerned to reopen the issue.

5. In view of the same, Petition stands disposed of.

6. The Education Officer (Secondary) is present.

(SANJAY A. DESHMUKH, J.)

(R.G. AVACHAT, J.)