

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

907 WRIT PETITION NO.6729 OF 2022

**BUSHAN HANMANTRAO PATALE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS UNDER
SECRETARY AND OTHERS**

...

AND

908 WRIT PETITION NO.6730 OF 2022

**SHARAD CHATARSINGH PAWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS UNDER
SECRETARY AND OTHERS**

...

AND

909 WRIT PETITION NO.10482 OF 2022

**SAYYAD AMIN GULAB BHAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS UNDER
SECRETARY AND OTHERS**

...

AND

WRIT PETITION NO. 384 OF 2023
(Not on the Board. Mentioned. Taken on the Production Board)

**DILIP BABURAO JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for the Petitioners : Shri N.P. Patil Jamalpurkar
AGP for Respondents 1 to 4/State : Shri P.S. Patil

...

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

DATE :- 10th January, 2023

Per Court :-

1. Writ Petition No.384/2023 is not on the Board. By consent of the parties, the same is taken on the Production Board and heard.

2. The petitioners have put forth identical prayer clauses. Prayer clauses B, C and D in Writ Petition No.6729/2022 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 his initial appointments i.e. 12.06.2017, 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. 12.06.2017 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.*

12.06.2017 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 21.01.2023, 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, these Writ Petitions are 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.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)