

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

WRIT PETITION NO. 10997 OF 2022

Pravin s/o Sudhir Awasarmal

...Petitioner

Versus

The State of Maharashtra & Ors.

...Respondents

.....

Mr. Vilas S. Panpatte – Advocate for the petitioner

Mr. A. S. Shinde – AGP for respondent/State

Mr. B. P. Gonare – Advocate for respondent nos. 5 and 6

.....

CORAM : MANGESH S. PATIL

AND

S. G. CHAPALGAONKAR, JJ.

DATED : 14.06.2023

PER COURT : -

. Heard the learned advocate for the petitioner as also the learned AGP and perused the papers.

2. The petitioner is seeking inclusion of his name in the online portal made available for disbursement of salary.

3. It is conspicuous that the petitioner was appointed in the year 2015 as a Peon and subsequently his appointment has been granted approval by the Education Officer. Even a certificate regarding availability of post on the online portal has been issued by the Education Officer as a head of the Pay Unit on 31 December 2020 [Exh. 'F'].

4. Even the Education Officer (Secondary) by his communication dated 31 December 2020 addressed to the respondent – Deputy Director of Education, Nashik has forwarded a proposal for inclusion of petitioner's name in online portal. Till date, no decision has been rendered. It is nobody's case that the approval granted to the petitioner has been ever cancelled by the Deputy Director.

5. In the light of the above, it is imperative for the respondent – Deputy Director of Education to pass appropriate orders on a proposal received by his office from the respondent no.3 – Education Officer (Secondary).

6. Pertinently, in several such matters, this court has directed inclusion of name of teacher in the online portal taking into account similar set of facts. If really the proposal is awaiting decision by the respondent no. 2, one cannot countenance the utter disregard on his part in taking a further decision.

7. Even it is being submitted on behalf of the learned advocate for the petitioner that if and when the parties are approaching this court and this court is directing the authorities to take appropriate decision for inclusion of the teachers names in the online portal, adverse orders are being passed deliberately. Obviously if such is the conduct of the

authorities, a strict view would be taken if any instance is brought to our notice.

8. We allow the writ petition and direct the respondent no. 2 to pass order regarding inclusion of the petitioner's name in the online portal as expeditiously as possible and in any case within four weeks.

[S. G. CHAPALGAONKAR]
JUDGE

[MANGESH S. PATIL]
JUDGE