

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2619 OF 2023

	Mulla J. Hajikasam	]		
	At/Post – Rampur	]		
	Tal. Kadegbaon, Dist. Sangli.	]	..	Petitioner.
	v/s.			
1	Educational Officer (Secondary),	]		
	Zilha Parishad, Sangli	]		
2	Deputy Director of Education ,	]		
	Kolhapur.	]		
3	President/ Secretary	]		
	Verla Shikshan Sanstha,	]		
	New English School, Rampur	]		
	Tal. Kadegaon, Dist. Sangli 416 511.	]		
4	Principal	]		
	New English School, Rampur	]		
	Tal. Kadegaon, Dist. Sangli 416 511	]		
5	State of Maharashtra	]	..	Respondents.

Ms. Aarti Bhide, for the Petitioner.

Mr. N. C. Walimbe, Addl. G.P. with Mr. S. L. Babar, AGP for the Respondent-State.

**CORAM: A.S.CHANDURKAR &
FIRDOSH P. POONIWALLA, JJ.
DATE : 30th NOVEMBER, 2023.**

ORAL JUDGMENT (Per A. S. CHANDURKAR,J.):

RULE. Rule made returnable forthwith.

2 Considering the nature of order proposed to be passed, service of notice on Respondent Nos.3 & 4 is dispensed with.

3 The Petitioner came to be appointed to the post of Assistant

Teacher at the Respondent No.4-School in the year 2012. It is his case that the proposal dated 12th July, 2012 had been submitted seeking approval to his appointment. No steps whatsoever were thereafter taken to consider the said proposal. Hence, on 28th January, 2019, a fresh proposal was again submitted to the Education Officer (Secondary). The Head Master was informed on 2nd March, 2019 that the proposal seeking approval to the Petitioner's appointment should be submitted in the camp that would be organized.

4 It is the case of the Petitioner that the said proposal was again submitted in the camp on 25th August, 2021.

5 In this background, Petitioner seeks a direction that his services to the post of Assistant Teacher, be approved and he be paid benefits accordingly.

6 We find that proposal seeking approval to the Petitioner's appointment is pending with the Education Officer (Secondary) and the interest of justice would be served by directing Education Officer (Secondary), Zilla Parishad, Sangli to consider the Petitioner's proposals dated 28th January, 2019 and 25th August, 2021 in accordance with law and take a decision thereon.

7 In order to enable the Education Officer, (Secondary), to consider all these proposals, the Petitioner as well as the Head Master of the Respondent No.4-School shall appear before the Education Officer (Secondary) on 15th December, 2023.

8 The Education Officer (Secondary) shall consider the

proposals and take a decision thereon within a period of four weeks from today and the decision taken shall be communicated to the parties.

9 Rule is made absolute in the above terms.

(FIRDOSH P. POONIWALLA,J.)

(A.S. CHANDURKAR,J.)