

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 146 OF 2021

Rajesh S.Mankar

vs.

State of Maharashtra through its Deputy Director of Education, Nagpur and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri O.A.Ghare, Advocate for petitioner.

CORAM :- A.S.CHANDURKAR AND M. W. CHANDWANI, JJ.

DATE :- 3rd MAY, 2023

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Considering the nature of the order proposed to be passed the service on respondent nos. 4 to 6 is dispensed with.

2. Rule. Rule made returnable forthwith. Ms N. P. Mehta, learned Assistant Government Pleader waives service of notice for the respondent nos. 1 & 2 and Shri Nikhil Tekade, learned counsel waives service of notice for respondent no.3.

3. The challenge raised in this writ petition is to the communication dated 28.10.2020 thereby cancelling the approval granted to the appointment of the petitioner on the post of 'Assistant Teacher'. During the pendency of the proceedings, it is pointed out that on 28.11.2020 the Management of the respondent no.3 has passed a resolution by which the petitioner has been given a fresh order of appointment on 24.06.2019 on the post of 'Shikshan Sevak'.

4. In view of aforesaid, it is open for the Management to submit a proposal seeking approval to the appointment of the petitioner in terms of the order of appointment dated 24.06.2019. If such proposal

is received, the Education Officer (Secondary) shall examine the same in accordance with law and consider whether the approval should be granted or not. The respondent no.2 is at liberty to consider the reasons given earlier while passing the order dated 28.10.2020.

5. With these directions, the writ petition is disposed of. Rule accordingly. No costs.

(M. W. CHANDWANI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.