



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH : NAGPUR

WRIT PETITION NO.7688 OF 2023

- 1) Shahbabu Education Society,
Patur, District Akola, a Society
registered under the Societies
Registration Act, 1860 and Bombay
Public Trust Act, 1950 having
Registration No.F-67 AKL, through
its Secretary Mr. Syed Ishaque
Syed Nabi, aged about 74 years,
occupation : retired.
- 2) Shahbabu Urdu High School,
Patur, District Akola, through its
Head Master – Mr. Mujibullah Khan,
aged about 50 years,
- 3) Mr. Mohd. Wasif Mohd. Hudain,
aged about 32 years, occupation :
service (working as Clerk) in
Shahbabu Urdu High School,
Patur, District Akola (Maharashtra
State).

... Petitioners

- Versus -

- 1) State of Maharashtra, through its
Secretary, School Education, Mantralaya,
Mumbai – 400 032.
- 2) Director of Education (Secondary &
Higher Secondary), Maharashtra State,
Pune.
- 3) Education Officer (Secondary),
Zilla Parishad, Akola.

... Respondents

Shri S.N. Tapadia, Advocate for petitioners.

Shri A.A. Madiwale, Assistant Government Pleader for respondents.

CORAM : A.S. CHANDURKAR AND ABHAY J. MANTRI, JJ.

DATED : NOVEMBER 09, 2023

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

Rule. Rule is made returnable forthwith. Shri Madiwale, learned Assistant Government Pleader waives notice for the respondents.

2) The petitioner nos.1 and 2 sought approval to the appointment of the petitioner no.3 on the post of Junior Clerk. The said proposal came to be rejected on 9/11/2020 pointing out various deficiencies in the said proposal. According to the petitioners, on 24/11/2020 the said deficiencies have been removed. Thereafter request has been made to consider the aforesaid proposal since the deficiencies stood removed. The reminders are dated 28/1/2021 and 5/4/2021. Since no steps were taken, the final reminder dated 6/3/2023 was issued to the respondent no.3 Education Officer (Secondary).

3) In these facts, since the petitioners seek re-consideration of the proposal by urging that all the deficiencies have been removed, the writ petition is disposed of by directing the respondent no.3 Education Officer (Secondary) to consider the proposal dated 9/6/2020 afresh in the

light of the stand taken by the petitioners that all the deficiencies have been removed. The same be re-considered within a period of four weeks of receiving copy of this judgment. The decision taken be communicated to the petitioners.

4) Rule is made absolute in the above terms. No costs.

JUDGE

JUDGE

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