



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 WRIT PETITION NO. 2164 OF 2024

LAKHAN GORAKH DORLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

...
Mr. Avinash A. Khande Advocate for Petitioner.
Mr. P.S. Patil, Additional G.P. for Resp. Nos. 1 to 3.
Mr. Vijay V. Deshmukh Advocate for Resp. Nos.4 and 5.
...

CORAM: SMT. VIBHA KANKANWADI AND
S.G. CHAPALGAONKAR, JJ.

DATE : 26th FEBRUARY 2024

ORDER :

1. Issue notice to the respondents. Learned AGP waives notice for respondent Nos.1 to 3. Learned Advocate Mr. Deshmukh waives notice for respondent Nos. 4 and 5. Learned Advocate Mr. Deshmukh tenders copy of the order passed by respondent No.3 on 23rd February 2024, thereby giving approval to the promotion granted to one Waghmare Sudhakar Tulshiram, to the post of senior clerk.

2. It appears that the proposal in respect of appointment of

the petitioner was turned down as the proposal in respect of Mr. Waghmare was pending. In view of this subsequent development, the impugned order dated 3rd January 2024 passed by respondent No.3 deserves to be set aside. It is necessary to direct respondent No.3 to decide the proposal afresh.

3. Hence the Writ Petition stands partly allowed. The impugned order passed by respondent No.3 on 3rd January 2024 is hereby set aside. The matter is relegated to respondent No.3. Respondent No.3 should consider the proposal submitted in respect of the petitioner by respondent Nos. 4 and 5, in view of the subsequent development i.e. his own order dated 23rd February 2024 in respect of Mr. Waghmare Sudhakar Tulshiram. The said proposal to be decided within a period of TWO MONTHS from today.

[S.G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE