



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

903 WRIT PETITION NO.4737 OF 2023

Naval Murlidhar Patil And Another
VERSUS
The State Of Maharashtra Through Principal Secretary And
Others

...
Advocate for the Petitioner : Mr. Dambe Santosh S.
AGP for Respondents : Mr. N S Tekale
Advocate for Respondents 4,5 : Mr. Ghode Madhav C.

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**CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.**

Dated : February 23, 2024

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PER COURT :-

1. Present Petition is filed to quash and set aside the communication dated 3.3.2022/15.3.2022, 24.2.2023. The communications appear to be on the basis of similar proposals and ultimately on 24.2.2023 the proposal submitted by Respondent Nos.4 and 5 appears to have been rejected as there was defect in respect of the documents.

2. Learned advocate for respondent nos.4 and 5, on instructions, submits that, fresh proposal would be submitted with appropriate documents within a period of 2 (Two) weeks.

3. Learned advocate for the petitioner submits that two posts were available for "Laboratory Assistant" and that is consistently reflected in the Staffing Pattern, copy of which have been produced on record.

4. In view of the statement made on behalf of Respondent Nos.4 and 5 that fresh proposal with adequate and proper documents would be submitted within Two weeks ; said statement is taken as an undertaking and Writ Petition stands **disposed off** with directions to the Respondent Nos.4 and 5 to submit fresh proposal within a period of Two (2) weeks. In view of the said statement, the impugned order dated 24.2.2023 passed by Respondent no.3 stands quashed and set aside. Respondent no.3 to decide fresh proposal on it's merits within a period of four (4) Months from the receipt of the fresh proposal.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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aaa/-