



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

WRIT PETITION NO. 12597 OF 2024

Rangnath Nanasaheb Deshmukh .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Vitthal H. Dighe, Advocate for the Petitioner.

Shri S. K. Tambe, Addl.G.P. for the Respondent Nos. 1 and 2.

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.**

DATE : 21ST NOVEMBER, 2024.

FINAL ORDER :

. Heard learned counsel for the petitioner. Issue notice to the respondents. Learned Addl. G. P. waives notice for respondent Nos. 1 and 2. The respondent Nos. 3 and 4 are formal parties. Heard the writ petition finally at the admission stage.

2. The grievance of the petitioner is that he is entitled to have approval to his appointment from 06.10.2008. However by order dated 07.05.2018, the respondent No. 2/Education Officer has granted approval to his appointment from 01.04.2016.

3. Learned counsel for the petitioner submits that initially petitioner was reverted from the post of full timer to part timer and he was required to file appeal bearing Appeal No. 20 of 2016

before the School Tribunal, Solapur. Appeal was allowed and reversion was set aside. The proposal for approval was directed to be submitted by the management to the Education Officer for grant of approval with effect from 06.10.2008. Accordingly the proposal was submitted and defective approval was issued on 07.05.2018 by the Education Officer. Thereafter, petitioner was required to again approach the School Tribunal and the School Tribunal has passed order dated 22.10.2019.

4. In pursuance of order passed by the School Tribunal, management resubmitted proposal on 11.08.2021 to the respondent No. 2 and proposal is pending and awaiting adjudication. Learned counsel for the petitioner submits that in view of decision of the School Tribunal, which has not been challenged by anybody, the petitioner is entitled to receive approval from 06.10.2008.

5. Learned Addl. G. P. submits that the proposal is pending consideration before the respondent No. 2/Education Officer and the Education Officer can be directed to consider the proposal on its merits.

6. In that view of the matter, we dispose of the writ petition and modify the order dated 07.05.2018 to the effect that, the respondent No. 2/Education Officer shall reconsider the proposal of the management for grant of approval to the appointment of the petitioner from 06.10.2008, which is pending before it.

Proposal shall be decided on its merit, in accordance with law and policy, as expeditiously as possible and in any case within four (04) weeks from today.

[SHAILESH P. BRAHME J.]

[S. G. MEHARE, J.]

bsb/Nov. 24