

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO. 3148 OF 2022

Vaibhav Vijaykumar Chaughule. ... Petitioner.

V/s.

The State of Maharashtra and others. ... Respondents.

Mr.Saurabh Pakale i/b. Nilesh Desai for the Petitioner.

Ms.Neha Bhide, 'B' Panel Counsel for Respondent Nos.1 to 3.

**CORAM : NITIN JAMDAR, AND
M.M. SATHAYE, JJ.**

DATE : 20 March 2024.

P.C. :

The Petitioner has challenged the order passed by the Education Officer (Secondary), Ratnagiri on the proposal submitted by the Respondent- Management on 24 December 2018 in respect of appointment of the Petitioner as Assistant Teacher. While this writ petition was pending, Petitioner's services were terminated. The Petitioner approached the School Tribunal. The learned counsel for the Petitioner informs that the appeal filed by the Petitioner before the School Tribunal was disposed of by way of consent terms; wherein the Respondent- Management agreed to submit a proper proposal to the education Authorities. The learned counsel for the Petitioner submits that the earlier proposal was

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rejected primarily on the ground that the Management did not submit full documents and now the Management under the consent terms has agreed to remove the shortfall and submit a proper proposal and which, in fact, is submitted on 8 February 2024.

2. That being the position, we do not think it necessary to keep the petition pending. The Education Officer will take an appropriate decision on the proposal now submitted by the Respondent- Management on 8 February 2024 as per the law.

3. We make it clear that whether to grant approval to the proposal so submitted would be the decision that the Education Officer will have to take and by this order we should not be deemed to have indicated as to what the outcome should be. In case the Education Officer proposes to pass an adverse order, the Education Officer will notify the Petitioner and the Respondent- Management of the proposed grounds of rejection giving them an opportunity to respond and thereafter will pass a reasoned order.

4. With the aforesaid observations, writ petition stands disposed of.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)