

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2318 OF 2020**

Shri. Sandip Suresh Patil ...Petitioner
Versus
The State Of Maharashtra Through Secretary,
School Edu. And Sports Dept. And Ors ...Respondents

**WITH
WRIT PETITION NO. 2319 OF 2020**

Shri. Prafulla Manik Kamble ...Petitioner
Versus
The State Of Maharashtra Through The Secretary,
School Edu. And Sports Dept. And Ors ...Respondents

**WITH
WRIT PETITION NO. 7942 OF 2022
WITH
INTERIM APPLICATION NO.15457 OF 2024**

Abhijit Rajaram Mohite And Ors ...Petitioners
Versus
The State Of Maharashtra Thr The
Principal Secretary & Ors ...Respondents

Mr. Prashant Bhavake for Petitioner in Writ Petition No.2318 of 2020.

Mr. Chetan Patil a/w Mr. Mandar G. Bagkar for Petitioner in Writ Petition No.7942 of 2022.

Mr. Nagesh Chavan for Respondent Nos.6 to 8.

Mr. V. M. Mali, AGP for Respondent Nos.1 to 5-State in Writ Petition Nos.2318 of 2020 and 2319 of 2020.

Mr. S. B. Kali, AGP for Respondents-State in Writ Petition No.7942 of 2022.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.
DATE : 16th DECEMBER, 2024**

P.C. :-

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1. On 6th December 2024, we had passed the following order:

1. It appears that the problem of the Petitioner Shri. Sandip Patil is likely to be resolved. For the present, he is willing to accept the post of a Peon, on compassionate ground, which is vacant.

2. The learned Advocate for the Management graciously submits on instructions that the Management will produce the appointment order of the Petitioner as a Peon and forward a proposal to the Education Officer for approval.

3. The learned Advocate representing Shri. Sandip Patil, submits that the said Petitioner would report for duties as a Peon from 1st January, 2025.

4. We are putting it to the Management that in future, if any post of Junior Clerk becomes available and since the Petitioner who is qualified to be a Junior Clerk is accepting the post of a Peon under the fortuitous circumstances, the Petitioner would be subsequently considered for being appointed on the post of Junior Clerk and in which case he would vacate the post of a Peon which would be available to the Management for recruitment by following the due procedure laid down in law.

5. By Consent of the parties, list these Petitions on 16th December, 2024 for disposal. The management would produce the appointment order on the next date.”

2. Pursuant to the above, the Learned Advocate representing the Management places on record a compilation of 5 pages. The same are collectively marked as 'X' for identification. The Learned Advocate for the Petitioner is satisfied with the documents presented to the Court and submits that he would join the Radhabai Shinde Girls School, Mhaisal, Taluka-Miraj, District-Sangli, as a Peon.

3. The Learned Advocate for the Management submits that the Petitioner will have to deliver a list of documents mentioned in the compilation 'X' within 7 days from today so as to process his papers and send a proposal to the Competent Authority after he joins duties on 1st January, 2025.

4. The Learned Advocate for the Petitioner places on record a copy of 'Private Secondary; Non Teaching Staff; Sanch Manyata Year 2023-24'. The same is marked as 'Y' for identification. He submits that in another school operated by the same Educational Institution namely, Smt. Kumudini Mane Patil Girls High School, Sangli Miraj Kupwad, Municipal Corporation, one post of Junior Clerk is sanctioned.

5. The Learned Advocate for the Management fairly

submits that considering the order of this court dated 6th December, 2024, the Management would verify as to whether the post said to be sanctioned is vacant or not. The Learned Advocate for the Petitioner submits that if it is vacant, he will move an application in the light of the order dated 6th December, 2024. By recording the above statements, **this Writ Petition is disposed off.**

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6. The Learned Advocate for the Petitioners submits on instructions that the Petitioners desire to withdraw this petition since the grievance of Petitioner No.1 is redressed.

7. In view of the above statement, **this Writ Petition is disposed off** as withdrawn on instructions.

8. In view of the above, **the Interim Application would not survive and would stand disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)