

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5065 OF 2023

Mr. Amar Tanaji Patil

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Prashant Bhavake for the Petitioner.

Ms. A.A. Puray, AGP for the Respondent Nos. 1 to 5/State.

Mr. Utkarsh Desai for Respondent Nos. 6 and 7.

SNEHA
NITIN
CHAVAN

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

DATE : 18 APRIL 2024

P.C. :

. Heard learned counsel for the parties.

2. Petitioner, a peon working with Respondent No. 7 School run by Respondent No. 6 Educational Institute is seeking direction to decide his pending proposal for approval of his appointment from Respondent No. 5 /Education Officer (Secondary), Zilla Parishad, Kolhapur. Learned counsel for Respondent Nos. 6 & 7 (Management) states that there is no internal dispute in the Respondent Management Trust / Institute and they are supporting the cause of the Petitioner.

3. It is submitted that the Respondent Educational Institute has submitted Petitioner's proposal way back on 20 December 2019, which is still pending.

4. In view of pendency of the proposal, we dispose of this petition by directing Respondent No. 5 to communicate its proposed grounds of rejection/s to the Respondent/ Educational Institutes, if any, within a period of 3 weeks from today. The Respondent/Educational Institute shall thereafter submit its explanation/s to the proposed grounds of rejection, along with supporting material including case laws, orders of this Court, government resolutions etc, if relied upon.

5. The Respondent Education Officer is thereafter directed to decide within 8 weeks, the pending proposal of the Petitioner (if not already decided) by dealing with the explanation/s and material submitted by the Respondent/Educational Institute and pass reasoned order. The order will be passed keeping in mind the directions issued by this Court in Part II Clause A(i) to (iii) of Judgment dated 16 April 2024 in the matter of *Nitin B. Tadge Vs. State of Maharashtra in Writ Petition No. 204 of 2019* and other companion petitions.

6. We have not expressed any opinion on the Petitioner's proposal and the same shall be decided on its own merits in accordance with law. Needless to mention that if the Respondent

Education Officer proceeds to grant approval as prayed, the aforesaid procedure/directions will not apply and necessary consequential benefits/orders will follow.

7. The writ petition is disposed of in the aforesaid terms.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)