

LSP

1

32 wp 8148.22.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

Writ Petition No. 8148 of 2022

Mr. Santosh Sunil Nejkar ... Petitioner.
V/s.
The State of Maharashtra and others ... Respondents.

Mr. Prashant Bhavake for the Petitioner.

Mr. M.M. Pabale, AGP for Respondent Nos.1 to 5-State.

Mr. Sushant A.Khatake i/b. Utkarsha S. Desai for Respondent Nos.6 and 7.

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

DATE : 05 September 2024.

P.C. :

Heard learned counsel for the parties.

2. The proposal in respect of Petitioner's appointment submitted by Respondent Nos.6 and 7 was rejected by the impugned order dated 1 November 2018 on the ground that there are directions of the State Government not to process such proposals in the light of the revision in the staffing pattern. It is common ground before us that this embargo no longer exists. That being the position, the proposal will have to be decided on merits.

3. The Writ Petition is accordingly disposed of restoring the

proposal to the file of the Education Officer who will take necessary decision as per law on its own merits within a period of eight weeks, subject to earlier time bound commitments as per the procedure laid down by judgment and order of this Court in the case of *Nitin Bhika Tadge v/s. State of Maharashtra and Others*.¹ The Petitioner will place the copy of the said decision before the Education Officer for reference. If approval is granted, then necessary consequential steps be taken by the concerned Education Officer.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)

¹ Civil W.P. NO.204/2019 dt.16 April 2024