

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

WRIT PETITION NO. 5072 OF 2023

Prashant Ganpatrao Khaire

...Petitioner

Versus

The State of Maharashtra & Ors

...Respondents

Mr Prashant Bhavake, for the Petitioner.

Ms S. S. Bhende, AGP for the Respondent-State

Mr. Utkarsh Desai for the Respondent Nos. 6 & 7

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

DATED : 7 AUGUST 2024

P.C.:

. Heard learned counsel for the parties.

2. Petitioner / employee working with Respondent No. 7 School run by Respondent No. 6 Educational Institute is seeking direction to decide pending proposal for approval of his appointment as peon. Learned counsel for Respondent Nos. 6 & 7 states that there is no internal dispute in the Management and they are supporting the case of the Petitioner.

3. It is submitted that the Respondent Educational Institute has submitted Petitioner's proposal dated 17 August 2022 to Respondent No. 5 / Education Officer (Secondary), Zilla Parishad, Kolhapur, which is still pending. Copy of the said proposal with supporting material is produced

with the petition.

4. In view of pendency of the proposal since last about 2 years, we dispose of this petition by directing Respondent Education Officer to communicate its proposed grounds of rejection/s to the Respondent Educational Institute, if any, within a period of 2 weeks from today.

5. The Respondent Educational Institute shall thereafter submit its explanations to the proposed grounds of rejection, along with supporting material including case laws and government resolutions etc, if relied upon.

6. The Respondent Education Officer is directed to decide the proposal thereafter within a period of 8 weeks, subject to other time bound directions by dealing with the explanations and material submitted by the Respondent Educational Institute and pass a reasoned order. If the Respondent Education Officer proceeds to grant approval as prayed, necessary consequential benefits will follow.

7. 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.

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

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)