

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16121 OF 2023

Mr.Sandip Raghunath Parit and Others ... Petitioners

versus

State of Maharashtra and Others ... Respondents

• • • • •

Mr.Chetan G. Patil i/b. Mr.Mandar G. Bagkar for the Petitioners.
Mr.V.M.Mali, AGP for Respondent Nos. 1 to 3-State.

• • • • •

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

DATE : 4 JANUARY 2024

P.C.:

Heard the learned Counsel for the parties.

2. Petitioner No.1 is the assistant teacher working with Petitioner Nos. 2 and 3-Educational Institutions. They have filed this petition making a grievance that approval submitted by the Petitioners to the appointment of Petitioner No.1 is still pending since 1 December 2022. No decision is taken on the approval as on today and to minimize further litigation, we direct that in case Respondent No. 2-Education Officer intends to pass any adverse order on the proposal so submitted, then Respondent No.2 – Education Officer will first communicate the objections/ shortfalls to the Petitioners calling

upon the Petitioners to give their explanation. After the explanation is so submitted by the Petitioners, Respondent No.2-Education Officer will deal with the explanation furnished by the Petitioners and pass a reasoned order as per law.

3. Needless to state that in case the proposal is to be accepted, the above position would not apply.

4. Let the communication conveying objections, if any, be furnished to the Petitioners within a period of four weeks after the explanation is so submitted.

5. In case, any surplus teacher is sent considering the post to be vacant, then it is open to the Petitioners to point out the above order directing disposal of the proposal by the Education Officer.

6. With these observations, the writ petition is disposed of.

(M.M.SATHAYE, J.)

(NITIN JAMDAR, J.)