

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

***WRIT PETITION NO. 3448 OF 2022***

Khan Zahir Zameer

... Petitioner

V/s.

The State of Maharashtra and Anr.

... Respondents

Mr. Sanjeev B. Deore with Suchita J. Pawar for the Petitioner

Mr. S.B. Kalel, AGP for the Respondents

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

***DATE : 04 JANUARY 2024***

**P.C. :-**

Leave is granted to amend the Petition to join the Educational Institute, where the Petitioner is working, as party Respondent. The learned Counsel for the Petitioner states that the Education Institute is supporting the cause of the Petitioner. Amendment to be carried out within three working days.

2. Proceeding on the basis that the Respondent – Educational Institute is supporting the cause of the Petitioner and the order that we are proposing to pass, it is not necessary to issue notice to the added Respondent.

3. Grievance of the Petitioner is that the approval of the Petitioner's appointment submitted by the Respondent – Educational Institute is pending without any decision thereupon. There appears to be some record of the year 2003 but the learned AGP is also not able to confirm the position after the year 2003.

4. In these circumstances, a direction needs to be given to the Respondent No.3 – Education Officer to take a decision on the approval of the Petitioner's appointment. So that further time is saved, it is directed that the Educational Officer, in case proceeding to pass any adverse orders on the proposal, will issue a notice to the Respondent – Management setting out the proposed grounds of rejection upon calling the Respondent – Management to submit an explanation/response and after the explanation/response is submitted, deal with the same and pass a reasoned order. Needless to state that this observation would not apply if the Education Officer decides to grant the approval.

5. The learned Counsel for the Petitioner states that he will inform the order to the added Respondent and also that an additional copy of the proposal would be supplied to the Education Officer for the purpose of record.

6. After the explanation is duly submitted by the Respondent – Educational Institute, the Education Officer, subject to earlier time bound commitments, will decide the same within a period of eight weeks.

7. Writ Petition is accordingly disposed of.

*M.M. SATHAYE, J.*

*NITIN JAMDAR, J.*

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PRAKASH  
PAWAR

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