

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3812 OF 2024

Yogesh Bhaskar Kamble

...Petitioner

Versus

The State of Maharashtra and Ors.

...Respondents

Mr. Shrirang Katneshwarkar for the Petitioner.

Mr. M.M. Pabale, AGP for the Respondent/State.

SNEHA
NITIN
CHAVAN

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

DATE : 20 MARCH 2024

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by SNEHA
NITIN CHAVAN
Date: 2024.03.26
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P.C. :

. Heard learned counsel for the parties.

2. Petitioner, an assistant teacher working with Respondent No. 5 School run by Respondent No. 3 Educational Institute is seeking direction to decide his pending proposal for approval of his transfer from Respondent No. 4 School to Respondent No. 5 School, from un-aided to aided post. Learned counsel for the Petitioner states on instructions that there is no internal dispute in the Respondent Management Trust / Institute and they are supporting the cause of the Petitioner till today. We proceed on the basis of said statement.

3. It is submitted that the Respondent Educational Institute has submitted Petitioner's proposal to Respondent No. 2 / Dy. Director of Education, Pune Division, Pune on 17 February 2020, which is still pending.

4. In view of pendency of the proposal, we dispose of this petition by directing Respondent No. 2 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 Institutes shall thereafter submit its explanation/s to the proposed grounds of rejection, along with supporting material including case laws, orders of this Court, governemnt resolutions etc, if relied upon.

5. The Respondent No. 2 is thereafter directed to decide within 8 weeks, the pending proposal of the Petitioner by dealing with the explanation/s and material submitted by the Respondent/Educational Institute and pass reasoned order.

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 No. 2 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.)