

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 326 OF 2024

Smt. Pramila Dattatray Gavade

...Petitioner

Versus

The State Of Maharashtra Through The
Secretary School Education & Sports And Ors.

...Respondents

.....

Mr. Prashant Bhavake, Advocate for Petitioner.

Ms. A.A. Pawar, AGP for Respondent-State.

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

DATE : 15 JANUARY 2024

P.C.:

. Heard learned counsel for the parties.

2. Petitioner/Employee, currently working as Assistant Teacher with Respondent No. 7 School run by Respondent No. 6 Management, is seeking direction to decide his pending approval with the Respondent No. 5 -Education Officer, Zilla Parishad, Kolhapur. Learned counsel for the Petitioner states on instructions that Respondent Nos. 6 & 7 are supporting the cause of the Petitioner till today. We proceed on the basis of said statement.

3. It is submitted that the Petitioner was appointed as part-time assistant teacher in June, 2013 and has been working as full-time assistant teacher since June, 2018. However his initial proposal is

pending from September 2013.

4. In view of said pendency of the proposal, the Respondent No.5 / Education Officer is directed to communicate its objections / proposed grounds of rejection to the Respondent Educational Institute, if any, within a period of 2 weeks from today. The Respondent Educational Institute shall thereafter submit its explanation to the proposed objections, along with supporting material including case laws, orders of this Court, GRs etc, if relied upon.

5. The Respondent/Education Officer is thereafter directed to decide the pending proposal of the Petitioner by dealing with the explanation and material submitted by the Respondent/Educational Institute and pass a reasoned order, within 8 weeks from today.

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 Education Officer proceeds to grant approval, the aforesaid procedure/directions will not apply.

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

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)