

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3648 OF 2024

Satyajit Sanjay More

...Petitioner

Versus

State Of Maharashtra And Ors.

...Respondents

Mr. Mandar G. Baskar, for Petitioner.

Mr. V.M. Mali, AGP for Respondent Nos.1 & 2.

Mr. Satish Raut, for Respondent Nos. 3 & 4.

HUSENBASHA
RAHAMAN
NADAF
Digitally signed
by HUSENBASHA
RAHAMAN
NADAF
Date: 2024.03.18
14:44:15 +0530

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

DATE : 14 MARCH 2024

P.C.:

. Heard learned counsel for the parties.

2. Petitioner/Employee is seeking direction to Respondent No. 3 & 4 (Institute and High School) to send his proposal seeking approval to Petitioner's appointment as Laboratory Assistant to Respondent No. 2 / Education Officer (Secondary), Zilla Parishad, Sangli and further direction to the said authority to grant approval. Learned counsel for Respondent Nos. 3 & 4 Management appears and undertakes to file vakalatnama in 2 weeks. He has not opposed the petition.

3. Considering that the Respondent- Management has appointed the Petitioner on 29 June 2019, but his proposal is not yet sent, we dispose off this petition by passing following order :

(A) Respondent Nos. 3 & 4 are directed to send proposal to Respondent No. 2, for approval of Petitioner's appointment with

necessary supporting documents within 4 weeks from today.

(B) It is directed that if there are any grounds on which the Respondent- Education Officer intends to return or reject the proposal, he is directed to communicate the same to the Respondent/Educational Institute within a period of 3 weeks from the date of receiving the proposal.

(C) The Respondent- Educational Institute shall thereafter submit its explanation to the proposed grounds, along with supporting material including government resolutions, case laws / orders of this Court etc. if relied upon.

(D) The Respondent- Education Officer is directed to decide the proposal thereafter within a period of 8 weeks, by dealing with the explanation given by the Educational Institute as also dealing with case law/orders of this Court, by passing a reasoned order, subject to other time bound directions.

(E) 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 proposal as prayed, consequent benefits and orders will follow, and in that case, the aforesaid procedure/directions will not apply.

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

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)