

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 16546 OF 2023

Agnel Anthon D'souza

... Petitioner

Versus

State of Maharashtra and Ors.

... Respondents

YUGANDHARA
SHARAD
PATIL

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YUGANDHARA
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Mr. Chetan G. Patil i/b Mr. Mandar G. Bagkar, for the Petitioner.
Mr. S.B. Kalel AGP for Respondent Nos. 1 to 3.

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

DATE : 19 JANUARY 2024

P.C.:

. Heard learned counsel for the parties.

2. Petitioner/Employee, working as *shikshan sevak* with Respondent No. 5 School run by Respondent No. 4 Management, is seeking direction to decide his pending proposal with the Respondent No. 3 -Education Officer (Secondary), Zilla Parishad, Pune for approval as Assistant Teacher. Learned counsel for the Petitioner states on instructions that Respondent Nos. 4 and 5 are supporting the case of the Petitioner till today. We proceed on the basis of said statement.

3. It is submitted that the Petitioner's proposal is pending from December 2021.

4. In view of said pendency of the proposal, the Respondent Education Officer is directed to communicate its proposed grounds of objections to approval, to the Respondent/ Educational Institute within a period of 3 weeks from today. The Respondent/Educational Institute shall thereafter submit its explanation to the proposed grounds, along with supporting material including case law, orders of this Court, government resolutions etc, if relied upon.

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

6. We have not expressed any opinion on the 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 decides to grant Petitioner's proposal as prayed , 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.)