

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1617 OF 2024

Ashish Subhash Chuttar

...Petitioner

Versus

The State Of Maharashtra Through The
Principal Secretary School. Education
Department And Ors.

...Respondents

Mr. Shrirang Katneshwarkar for the Petitioner.

Ms. Nisha Mehra, AGP for the Respondent Nos. 1 and 2.

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

DATE : 22 FEBRUARY 2024

P.C. :

. Heard the learned counsel for the Petitioner and learned AGP for Respondent Nos. 1 and 2 (State of Maharashtra and the Deputy Director of Education, Pune Division, Pune).

2. At the outset, the learned counsel for the Petitioner submits that Respondent No.3 Institute and Respondent No.4 School are supporting the cause of the Petitioner till date. We proceed on the basis of the said statement.

3. The Petitioner is seeking direction to Respondent No.2 to decide the proposal dated 14 July 2022 of the Petitioner seeking approval for transfer from 20% aided post to 100% aided post. The

Petitioner is relying upon the judgment of this Court dated 21 July 2023 passed in Writ Petition No. 8215 of 2022 in the matter of Friends Social Circle, Akola and Ors. v/s. State of Maharashtra and Ors. (Nagpur Bench) and other connected petitions.

4. Considering the fact that the Petitioner's proposal is pending with Respondent No.2, we dispose of this petition by directing Respondent No.2 that if the said Authority wants to defer the hearing of the approval or reject it, the proposed grounds for rejection / objection shall be communicated to the Respondent Educational institute within a period of 2 weeks from today. The Respondent Educational institute shall thereafter submit its explanation with Government Resolutions, case law or orders of this Court in support of its case. Respondent No.2 is thereafter directed to decide the Petitioner's pending proposal dated 14 July 2022 within a period of 8 weeks from today, subject to other time bound commitments, in accordance with law and by passing reasoned order dealing with the case law and orders of this Court relied upon. If Respondent No.2 decides to grant the proposal as prayed, the aforesaid procedure/directions shall not apply.

5. Writ Petition is disposed of in above terms.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)