



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(17) WRIT PETITION NO. 10308 OF 2024

Sujata Amar Kamble (Nee: Sujata David Kurne) ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

AND

(19) WRIT PETITION NO. 10445 of 2024

Chhaya Babaso Hankare (Nee: Chhaya Lalu Chavan) ...Petitioner

Versus

The State of Maharashtra and Ors. ...Respondents

Mr. Prashant Bhavake, for Petitioner in both petitions.

Ms. Nisha Mehra, AGP for Respondent Nos. 1 to 5 in both petitions.

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

DATE : 29 JULY 2024

P.C.:

1. Heard learned counsel for the parties.
2. By these petitions, writ of Mandamus is sought against Respondent No. 5 to take a decision on the ground that no decision is taken.
3. The proposals to approve the Petitioners' appointment were submitted on 16 October 2023 and the writ petitions are filed on 20

December 2023. That means within two months of submitting the proposals, the writ petitions are filed. The Petitions are not filed by the Management but by the employees.

4. The prayer for issuance of a writ of Mandamus is predicated on the basis that there is failure to exercise the public duty. Even assuming the proposals are to be decided expeditiously, before filing the Petitions, neither the Petitioners nor the Management have reminded the Education Officer of the pendency of the proposals by any written communication. If petitions such as these are filed immediately after submitting the proposals for a writ of Mandamus in a routine manner, the Court will be flooded with the petitions of this nature. We are not inclined to issue a writ of Mandamus.

5. This does not mean the proposals should not be decided at all, they will be decided within a reasonable time, subject to pendency of similar proposals and other urgent public duties. The proposals be decided as per law. Writ Petitions are disposed of.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)