



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 3595 OF 2023

(Vishal s/o Shankarrao Vairagade Vs The State of Maharashtra and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A.D. Mohagaonkar, Advocate for petitioner.
Mr. I.J. Damle, AGP for respondent Nos. 1 to 4/State.
Mr. S.K. Bhoyar, Advocate for respondent Nos. 5 to 7.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 19-11-2024

Heard Mr. Mohagaonkar, the learned Counsel for petitioner, Mr. Damle, the learned AGP for respondent Nos. 1 to 4/State and Mr. Bhoyar, the learned Counsel for respondents Nos. 5 to 7.2.

2. It is not in dispute that the petitioner has initially worked as a Shikshan Sevak in the High School for the duration 1.1.2015 to 30.12.2017. On an advertisement being issued on 15.11.2017, for the post of Shikshan Sevak, the petitioner applied, was interviewed on 30.11.2017 and appointed as such on 30.12.2017 and joined on 1.1.2018.

3. The proposal sent by the Management on 17.8.2020 to the respondent No. 3 was directed to be decided by the order of this Court dated 23.4.2024. The said proposal has been refused to be approved on account of certain discrepancies, by the communication 29.4.2024 (page 80). It is stated that thereafter, the Management has submitted a fresh proposal to respondent No. 3 by curing all the discrepancies (page 89) on 21.6.2024. Since it is now contended that the discrepancies

has been removed, it would be open for the respondent No. 3 to decide the same in terms of the law applicable and specifically by considering the judgment of this Court dated 7.2.2017 in Writ Petition No. 3099/2007 which also takes into consideration the Government Resolution dated 15.9.2011.

In case, any further discrepancies are found, the respondent No. 3 shall grant an opportunity to the Management to cure the same before taking a decision upon it. The respondent No. 3 shall therefore, decide the proposal by 3.12.2024 and intimate the petitioner accordingly.

4. The petition stand disposed of.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)