



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO.7652/2023

Narendra s/o Yadaorao Dakhane and others

...Versus...

**State of Maharashtra, Through its Secretary, Department of School, Education
and Sports Department, Mantralaya, Mumbai – 32 and others**

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

Court's or Judge's orders

Ms Smita Dashputre, Advocate for petitioners
Mr. A.G. Mate, AGP for respondents/State

**CORAM : AVINASH G. GHAROTE AND
M.W. CHANDWANI, JJ.**

DATE : 08/08/2024

1. Heard Ms Dashputre, learned counsel for the petitioners and Mr. Mate, learned Assistant Government Pleader for the respondents.
2. The petition questions the rejection of proposal sent by petitioner no.3, for approval to the employment of petitioner no.1 dated 17/11/2022 (pg.57) by the impugned order dated 21/07/2022 (pg.59) on the ground that though the proposal seeks approval to the employment of petitioner no.1 from 24/01/2013 onwards when the post was sanctioned by the Government Resolution dated 24/01/2013 (pg.53), the impugned order does not consider this position.
3. Though the petition is opposed by the learned Assistant Government Pleader, a perusal of the impugned order dated 21/07/2022 indicates absence of consideration of the

proposal in light of the Government Resolution dated 24/01/2013, as nothing is said therein regarding grant or refusal of approval to petitioner no.1 post 24/01/2013, in light of which, the impugned communication dated 21/07/2022 is hereby quashed and set aside and the matter is remitted back to respondent no.3 for deciding the proposal dated 17/11/2022 afresh, in light of the Government Resolution dated 24/01/2013.

4. The writ petition is partly allowed and disposed of accordingly. No order as to costs.

(M.W. CHANDWANI, J.)

(AVINASH G. GHAROTE, J.)