IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15607 OF 2024

Gautam Dinkar Madhale ...Petitioner

Versus

The State of Maharashtra and Others ...Respondents

Mr. Prashant Bhavake, for the Petitioner.
Mr. R. S. Pawar, AGP, for the Respondents-State.

Coram : Sharmila U. Deshmukh &
Neeraj P. Dhote, JJ.

Date : October 07, 2026.

P. C. :

1. By the present petition, the order dated 5th December 2022 passed by the Deputy Director of Education, which returns the proposal submitted seeking approval to the appointment of the Petitioner to the post of 'Laboratory Assistant' in view of the communication of 1st August 2022 of the Director of Education, is challenged.

2. The communication of 1st August 2022, when perused, would indicate that the pendency of Writ Petition No.5058 of 2021 and Writ Petition No.8007 of 2021, in which an interim stay was granted by this Court, has been referred to. Learned counsel appearing for the Petitioner would tender the order dated 6th February 2024 passed in the

said writ petitions, by which the writ petitions came to be disposed of. He would submit that the challenge was raised by an Association in the said writ petitions to the reduction of posts, pursuant to which the communication of 1st August 2022 was issued.

3. As the writ petitions stand disposed of by order dated 6th February 2024, there is no impediment for considering the proposal of the Petitioner seeking approval for the appointment as 'Laboratory Assistant'. The impugned order of 5th December 2022 does not examine the proposal in other respects and has returned the proposal as rejected, only in view of the orders passed in Writ Petition No. 5058 of 2021 and Writ Petition No. 8007 of 2021. As the said petitions stand disposed of, the impugned order dated 5th December 2022 is hereby quashed and set aside.

4. The Deputy Director of Education is directed to consider the proposal submitted by the Petitioner on its own merits and in accordance with law.

5. Considering that the proposal has been pending since long, the same to be decided expeditiously and, in any event, within a period of four weeks from today.

6. In the event there are any deficiencies in the proposal, the same to be communicated to the Management, who shall comply with the same within a period of one week. In the event there are any

deficiencies, the period of four weeks to decide the application to be extended accordingly.

7. In the event, the proposal is approved, the Respondent No.2 to include the name of the Petitioner in the *Shalarth Pranali* and allot the *Shalarth* ID within a period of three weeks thereafter and release the grant-in-aid salary within a further period of three weeks thereafter.

8. The Writ petition is disposed of in the above terms.

[Neeraj P. Dhote, J.] **[Sharmila U. Deshmukh, J.]**

RAJU DATTATRAYA GAIKWAD
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