

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.10153 OF 2021**

DATTATRAYA DAJIBA GAVHANE

..PETITIONER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS ..RESPONDENTS

...

Mr. V. S. Panpatte, Advocate for the Petitioner.

Mr. S. K. Tambe, AGP for Respondents-State.

Mr. B. P. Gonare, Advocate for Respondent Nos.3 and 4.

...

**CORAM : S. V. GANGAPURWALA &
R. N. LADDHA, JJ.**

DATED : 13th OCTOBER, 2021.

PER COURT:-

1. The proposal seeking approval to the appointment of the petitioner as Shikshan Sevak is rejected.

2. It is submitted that, the advertisement was issued on 03.05.2017 for filling in the posts and the appointment order is issued to the petitioner on 21.06.2017 with effect from 01.07.2017. The proposal is rejected on the basis of Government Resolution dated 23.06.2017, as after the said Government Resolution the appointment was required to be made through Pavitra Portal.

3. It appears that, the advertisement was issued prior to the said Government Resolution and the appointment order was issued prior to the said date as contended by the petitioner. It is for the Education Officer to consider the veracity of the statement made.

4. In light of the above, the impugned order is quashed and set aside.

5. The Education Officer shall verify the veracity of the advertisement, interview, the appointment order and decide the proposal seeking approval to the appointment of the petitioner as Shikshan Sevak. If the appointment of the petitioner is prior to the Government Resolution dated 26.06.2017, the said Government Resolution would not apply. The same shall be decided within a period of six (06) months.

6. Writ Petition is disposed of. No costs.

(R. N. LADDHA)
JUDGE

(S. V. GANGAPURWALA)
JUDGE