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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8950 OF 2021

(NOT ON BOARD TAKEN ON BOARD)

Vikas L. Kamble	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION NO.8951 OF 2021

Soham B. Patil	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION NO.8952 OF 2021

Omkar S. Sawant	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

WITH
WRIT PETITION NO.8954 OF 2021

Amol S. Kore	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

AND
WRIT PETITION NO.8956 OF 2021

Purushottam A. Puranik	...Petitioner
V/s.	
The State of Maharashtra & Ors.	...Respondents

Mr.P.S. Bhavake for the Petitioner in all the above Writ Petitions.

Mr.Vikas M. Mali, AGP for the State – Respondent in WP No. 8950 of 2021.

Ms.Sushma S. Bhende, AGP for the State – Respondent in WP Nos.8951 of 2021 and 8952 of 2021.

Mr.S.B. Kalel, AGP for the State – Respondent in WP No.8954 of 2021.

Mr.N.K. Rajpurohit, AGP for the State – Respondent in WP No.8956 of 2021.

CORAM : R.D. DHANUKA &
R.N. LADDHA, JJ.
DATE : 15TH DECEMBER, 2021.

P.C. :-

1. Mr.Bhavake, learned counsel for the petitioners in the above writ petitions seeks liberty to delete the respondent nos.6 and 7 from the cause title of the writ petitions. The amendment to be carried out forthwith. Re-verification is dispensed with.
2. Learned counsel for the petitioner and the learned AGP jointly state that all the above writ petitions can be disposed of by a common order.
3. In this batch of writ petitions, the petitioners have prayed for writ of mandamus directing the Deputy Director of Education to forthwith allot Shalarth ID to the petitioners and grant permission to the Education Officer for including the name of the petitioners and payment of salary including arrears and to release the entire arrears

of salary of the petitioners from the date of initial date of appointment within a period of eight weeks which this Court may deem fit. Learned counsel for the petitioners tenders a chart showing the name of each of the petitioners, date of appointment, post held by each of the petitioners, date of order granting approval by the Education Officer and the date of impugned order.

Sr.No.	Writ Petition No.	Name of the Petitioner	Date of Appointment (w.e.f.)	Post	Date of granting approval	Date of Impugned order
1	8950/2021	Vikas Laxman Kamble	1.4.2009	Lab. Assistant	10.8.2021	8.11.2021
2	8956/2021	Purushottam Anil Puranik	21.12.2012	Junior Clerk	6.8.2021	29.9.2021
3	8952/2021	Omkar Shivdas Sawant	15.6.2021	Junior Clerk	12.8.2021	29.9.2021
4	8951/2021	Soham Babasaheb Patil	1.8.2019	Junior Clerk	2.9.2021	29.10.2021
5	8954/2021	Amol Sahadev Kore	15.6.2014	Junior Clerk	6.8.2021	8.11.2021

4. In our view the Deputy Director of Education cannot refuse to enter the name of the petitioners in the Shalarth Pranali in view of the order of approval already granted by the Education Officer. This issue is included in catena of decisions delivered by this Court.

5. Mr.Mali, learned AGP however states that the Education Officer, who has passed the order has passed several such illegal orders in identical matters. State Government has initiated an action against the said Education Officer. Statement is accepted.

6. We accordingly pass the following order :-
- a). The impugned orders passed by the Deputy Director of Education mentioned in the last column of the chart i.e. dated 8th November, 2021 in Writ Petition No.8950 of 2021, dated 29th September, 2021 in Writ Petition No.8956 of 2021, dated 29th September, 2021, in Writ Petition No.8952 of 2021, order dated 29th October, 2021 in Writ Petition No.8951 of 2021 and order dated 8th November, 2021 in Writ Petition No.8954 of 2021 are quashed and set aside.
 - b). The Deputy Director of Education is directed to enter the name of the petitioners in Shalarth Pranali not before the expiry of six weeks from today.
 - c). The arrears of salary, if any, shall be released by the Education Officer within four weeks from the date of entering the names of the petitioners in Shalarth Pranali.
 - d) The salary shall be paid from the initial date of appointment of each of the petitioners.
 - e). It is clear that this Court has not restrained the State Government to initiate any action against the erring officer. We have not expressed any views on the correctness of the of the orders passed by the of Education Officer.
 - f). All the above writ petitions are allowed in aforesaid terms.

g). Rule is made absolute. There shall be no order as to costs. Parties to act on the authenticated copy of this order.

(R.N. LADDHA, J.)

(R.D. DHANUKA, J.)

VASANT
ANANDRAO
IDHOL

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