

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7699 OF 2021

Swapnesh Digambar Parab

And Another

... Petitioners

Versus

State of Maharashtra

through the Secretary,

School Education Department,

And Another

... Respondents

Mr. N.V. Bandiwadekar i/b Ms. Ashwini Bandiwadekar for the Petitioner.

Mrs. S.B. Kalel, AGP for the State.

**CORAM : S.V. GANGAPURWALA &
DHIRAJ SINGH THAKUR, JJ.**

DATE : 15 JUNE 2022

P.C. :

. The proposal seeking approval to the appointment of Petitioner No.1 is rejected.

2 It appears that the proposal is rejected on the ground that roster for the period, Petitioner No.1 was appointed, is not submitted. The advertisement has not been given in two newspapers and name does not appear in the sanctioned staffing pattern of years 1979 and 1980. So also names of the employees, who have retired are not given. Learned Counsel submits that subsequently, the details were given to the Education Officer, but the same is not considered.

3 The deficiencies were such, which could have been pointed out by the Management. It is contended that the same is subsequently

submitted.

4 In the light of the above, the impugned Order dated 4 February 2020 is quashed and set aside. Petitioner No.2 may place before the Deputy Director of Education the approved roster of the period Petitioner No.1 was appointed and also approved roster so also details of other aspects, sought in the impugned Order.

5 Upon submission of said documents and information, the Deputy Director of Education shall decide the proposal seeking the approval to the appointment of Petitioner No.1 afresh on its own merits, preferably within four months from today.

6 Writ Petition is disposed of. No costs.

(DHIRAJ SINGH THAKUR, J.)

(S.V. GANGAPURWALA, J.)