

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

WRIT PETITION NO.4341 OF 2022

Smt. Smita Vijay Gaikwad Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

**WITH
WRIT PETITION NO.4347 OF 2022**

Mitali Mahesg Mondkar Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

**WITH
WRIT PETITION NO.4342 OF 2022**

Mandar Dattatray Powar Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

**WITH
WRIT PETITION NO.4343 OF 2022**

Prasad Prabhakar Herwade Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

**WITH
WRIT PETITION NO.4345 OF 2022**

Sandeep Yashwant Bhalkar Petitioner
Vs.
The State of Maharashtra & Ors. Respondents

Mr. Prashant Bhavake for the Petitioners.
Mr. V. M. Mali, AGP for Respondent-State.

**CORAM: S. B. SHUKRE &
G. A. SANAP, JJ.**

DATED : 11 APRIL 2022.

P. C.

Heard.

2. Rule. Rule is made returnable finally by consent of the parties.

3. All these petitions involve a similar issue, whether or not the Deputy Director of Education has power to reconsider the issue of grant of approval by the Education officer as teaching/non teaching at the time of consideration of proposal received by the Education officer for including teaching/non teaching employee in the Shalarth system and allotting him shalarth ID ? Answer to this issue has been provided in the negative in the recent judgment of this court decided in the case of *Amol Baban Sangar vs. The State of Maharashtra, Writ Petition No.8966/2021 decided on 21/2/2022*. Thus, the issue involved in all these petitions is squarely covered by the aforesaid view taken in the case of Amol Sangar (supra). This would mean that these petitions deserve to be allowed.

- i) The petitions are allowed. The impugned order is quashed and set aside.
- ii) Respondent No.4 is directed to include name of each of the petitioners in the Shalarth system and allot

each of the petitioners Shalarth ID within a period of 4 weeks from the date of receipt of a copy of the order. Respondent Nos. 4 and 5 are directed to release honorarium/salary together with admissible arrears honorarium/salary to each of the petitioners within a period of 4 weeks from the date of receipt of the proposal sent in that regard by the school management of each of the petitioners.

iii) Rule is made absolute in the above terms. No costs.

(G. A. SANAP, J.)

(S. B. SHUKRE, J.)