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

WRIT PETITION NO. 3287 OF 2021

Kalpesh Babaji Bhosale and Anr. ... Petitioners
V/s.
The State of Maharashtra and Ors. ... Respondents

Mr. Narendra V. Bandiwadekar a/w. Vinayak Kumbhar i/b. Ms.
Ashiwini Bandiwadekar for the Petitioners
Ms. P.N. Diwan, AGP for the Respondent - State

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

DATE : 12 APRIL 2022

P.C. :-

Heard the learned Counsel for the parties.

2. Leave to add the Deputy Director of Education as Respondent No.3 is granted and leave to amend the prayer clause including the Petition is also granted. Amendment to the cause title and the Petition be carried out forthwith.

3. Rule. Rule made returnable forthwith. Taken up for final disposal by consent of the learned Counsel for the parties.

4. This is the case wherein approval granted to the appointment of the Petitioner No.1 as a Junior Clerk by the

Education Officer has been reviewed by the Respondent No.3, Deputy Director of Education, at the time of considering the proposal of the Management seeking inclusion of name of the Petitioner No.1 in the Shalarth System and allotment of the Shalarth ID, which is not permissible in law. This is the view taken by this Court in the case of **Amol Baban Sangar v/s. State of Maharashtra (Writ Petition No. 8966 of 2021)** decided on **21 February 2022**.

5. The issue involved in this Petition is thus covered by the view taken in the aforesaid case and as such, this Petition deserves to be allowed.

6. The Petition is allowed. The impugned order dated 28 March 2022, passed by Respondent No.3, is hereby quashed and set aside and the Respondent No.3 is directed to include the name of the Petitioner No.1 in the Shalarth System and allot him Shalarth ID within a period of two weeks from the date of receipt of the copy of the order. The Respondents shall ensure to release the monthly honorarium and salary together with admissible arrears of honorarium and salary for the relevant periods within a period of four weeks from the date of receipt of the proposal in that regard from the Respondent No.2.

7. Rule is made absolute in the above terms. No costs.

G.A. SANAP, J.

SUNIL B. SHUKRE, J.