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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.6055 OF 2021

Vikas Gajanand Sharma and another	]	Petitioners
Vs.		
The State of Maharashtra, Through the	]	
Secretary, School Education Department,	]	
Mantralaya, Mumbai – 400 032	]	
and others.	]	Respondents

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Mr. N.V. Bandiwadekar a/w Mr. Vinayak Kumbhar, for Petitioners.
 Mrs. S.S. Bhende, A.G.P, for Respondents – State.

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CORAM : SUNIL B. SHUKRE AND
G.A. SANAP, JJ.

DATE : 16th MARCH, 2022.

P.C.

1. Leave to amend the petition is granted. Amendment be carried out forthwith.

2. Leave to file on record order dated 17th January, 2022 passed by the Deputy Director Education sought to be included in this petition is also granted. Amendment to be carried out forthwith.

3. Heard.

4. Rule. Rule is made returnable forthwith. Heard finally by consent of learned Counsel for the parties.

5. Name of the petitioner has not been entered into Shalarth system on the ground that while appointing the petitioner several irregularities were committed and, therefore, the Deputy Director Education has come to a conclusion that approval to the appointment of the petitioner ought not to have granted but this Court has already taken a view that these are not the grounds on which the Deputy Direction Education can refuse to enter name of school employee in shalarth system. This is the view taken by this Court in the judgment rendered on 21st February, 2022 in **Writ Petition No.8966 of 2022 in the case of Amol Baban Sangar Vs. State of Maharashtra**. Facts of the present case are squarely covered by the said judgment.

6. In view of the aforesaid observations, following order is expedient;

: ORDER :

(a) The petition is allowed in terms of prayer clauses (b) and (c).

(b) The impugned order is hereby quashed and set aside;

(c) The Deputy Director Education is directed to release the monthly honorarium and salary to the petitioner within a period of four weeks from the date of receipt of the order;

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

[G.A. SANAP, J.]

[SUNIL B. SHUKRE, J.]