

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

WRIT PETITION NO.8972 OF 2021

Mrs. Aiman Ahtesham Shaikh ..Petitioner
V/s.
The State of Maharashtra & Ors. ..Respondents

**WITH
WRIT PETITION NO.1756 OF 2022**

Amit Ganpati Bhosale ..Petitioner
V/s.
The State of Maharashtra & Ors. ..Respondents

**WITH
WRIT PETITION NO.8974 OF 2021**

Shilpa M. Jadhav ..Petitioner
V/s.
The State of Maharashtra & Ors. ..Respondents

**WITH
WRIT PETITION NO.8973 OF 2021**

Sandesh Chkranarayan ..Petitioner
V/s.
The State of Maharashtra & Ors. ..Respondents

**WITH
WRIT PETITION NO.1758 OF 2022**

Rakesh Annaso Patil ..Petitioner
V/s.
The State of Maharashtra & Ors. ..Respondents

 Mr. Chetan G. Patil a/w. Mr. Mandar G. Bagkar for the Petitioners.
 Mr. N. K. Rajpurohit, AGP for the Respondent-State.

**CORAM : SUNIL B. SHUKRE AND
 AMIT BORKAR, JJ.
 DATE : 21 FEBRUARY 2022.**

P. C.

Heard. Rule. Rule is made returnable forthwith by consent of the parties.

2. The facts not in dispute in these Petitions are regarding dates of appointment of the Petitioners as Junior Clerk, and dates/approval of their appointment as Senior Clerk.

3. The details of these Petitioners concerning their dates of appointment, date of approval, date of impugned order and post at which the approval were granted are given in tabular form as follows:

Name	Writ Petition No.	Post	Date of appointment	Approval date	Impugned order date
Mrs. Aiman Ahtesham Shaikh	8972/2021	Junior Clerk	10/11/2012 w. e. f. 12/11/2012	2/9/2020	15/12/2020 and 21/12/2021
Mr. Amit G. Bhosale	1756/2022	Junior Clerk	1/8/2011	3/8/2021	29/9/2021
Smt. Shilpa M. Jadhav	8974/2021	Junior Clerk	1/6/2011	31/3/2020 and 2/9/2020	15/12/2020 and 20/10/2021
Mr. Sandesh Chakranarayan	8973/2021	Junior Clerk	3/3/2012	31/3/2020 and 2/9/2020	15/12/2020 and 20/10/2021

Corrected pursuant to speaking to minutes order dated 25/2/2022.

Name	Writ Petition No.	Post	Date of appointment	Approval date	Impugned order date
Mr. Rakesh A. Patil	1758/2022	Shikshan Sevak/ Assistant Teacher	1/8/2019	24/4/2020	23/11/2020

4. However, when it comes to inclusion of their names in the Shalarth system, the Deputy Director , Education saw some irregularity in their appointment and therefore, by impugned order refused to enter their names in the Shalarth system.

5. In Writ Petition No.8966/2021 we have already taken a view that while considering the names of school employees for their inclusion in Shalarth system, the Deputy Director, Education has no authority to reopen the issue of grant of approval to the appointment of school employees in unfavourable manner or otherwise and that he cannot go beyond the parameters prescribed in the Government Resolution dated 7/11/2012. The facts of these Petitions are similar to the facts of the said Petition and therefore, the issue involved in all these Petitions would be covered by the decision rendered by us today in Writ Petition No.8966/2021.

6. The Petitions are therefore allowed in terms of prayer clause (a) for the same reasons as stated in Writ Petition

No.8966/2021. We further direct that names of all the Petitioners be included in the Shalarth system, in accordance with law at the earliest.

(AMIT BORKAR, J.)

(SUNIL B. SHUKRE, J.)