

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

WRIT PETITION NO.1751 OF 2022

Atik Sirajuddin Kolhapuri

..Petitioner

V/s.

The State of Maharashtra & Ors.

..Respondents

Mr. Chetan G. Patil a/w. Mr. Mandar G. Bagkar for the Petitioner.
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 this Petition are regarding dates of appointment of the Petitioner and dates/approval of his appointment as Peon.

3. The details of the Petitioner concerning his date of appointment, date of approval, date of impugned order and post

at which the approval was granted are given in tabular form as follows:

Name	Writ Petition No.	Post	Date of appointment	Approval date	Impugned order date
Mr. Atik Sirajuddin Kolhapuri	1751/2022	Peon	28/12/2016	23/8/2017	22-23/9/2020

4. However, when it comes to inclusion of his name in the Shalarth system, the Deputy Director , Education saw some irregularity in his appointment and therefore, by impugned order refused to enter his name 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 this Petition is similar to the facts of the said Petition and therefore, the issue involved in this Petition would be covered by the decision rendered by us today in Writ Petition No.8966/2021.

6. The Petition is therefore allowed in terms of prayer clause (a) for the same reasons as stated in Writ Petition No.8966/2021. We further direct that name of the Petitioner be included in the Shalarth system, in accordance with law at the earliest.

(AMIT BORKAR, J.)

(SUNIL B. SHUKRE, J.)