

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8643 OF 2022

Rahul Rambhau Thosare .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri Santosh S. Jadhavar, Advocate for the Petitioner.

Shri S. K. Tambe, A.G.P. for the Respondent Nos.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.**

DATE : 13 JULY 2023.

FINAL ORDER :

. Heard. The petitioner whose appointment as Shikshan Sevak has been approved by the Education Officer by the communication dated 15 December 2020 with effect from 01 October 2019 is aggrieved by the impugned communication dated 04 April 2022, whereby the respondent No. 2/Deputy Director of Education has refused to include his name in the online portal made for disbursement of salary namely 'Shalarth Pranali' only on the ground that he has been appointed after that system had come into being that is 23.06.2017.

2. In view of the decision of this Court in the matter of **Pramod Prabhakar Pokale Vs. State of Maharashtra** reported in *2019(3) Bom.C.R. 272*, subsequently followed in the matter of **Amol Baban Salgar**

Vs. State of Maharashtra in Writ Petition No. 8966 of 2021 (Nagpur Bench) and followed by this Court in the matter of **Vinayak Dhondiba Dudhate Vs. State of Maharashtra in Writ Petition No. 7292 of 2023 dated 03 July 2023**, once there is an approval granted to the appointment by the Education Officer, the Deputy Director of Education cannot refuse to include the name of that person in the Shalarth Pranali.

3. The writ petition therefore, is partly allowed. Impugned order is quashed and set aside. The matter is relegated back to the respondent No.2/Deputy Director of Education, Pune for decision afresh for including petitioner's name in the Shalarth Pranali. However, it shall not be refused on the ground mentioned in the impugned communication. The decision shall be taken on its own merits, as expeditiously as possible and in any case within a period of six (06) weeks from today. The writ petition is disposed of.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/July 23