

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

33 WRIT PETITION NO.8782 OF 2023

- 1) Anjuman-e-Taraqui-e-Urdu,  
Ahmednagar, through its Chairman,  
Syed Abdul Mateen s/o Syed Abdul  
Rehman.
- 2) Sayyad Shoyeb Ayyub. ... **Petitioners.**

Versus

- 1) The State of Maharashtra,  
Through its Secretary School  
Education and Sports Department,  
Mantralaya, Mumbai-32.
- 2) The Director of Education (Secondary)  
Pune, Division Pune.
- 3) The Deputy Director of Education,  
Pune, Division Pune.
- 4) The Education Officer (Secondary)  
Zilla Parishad, Ahmednagar,  
District Ahmednagar ... **Respondents.**

...

Advocate for the Petitioners : Mr. Shaikh Mazhar A. Jahagirdar  
A.G.P. for the Respondents/State : Mr. A.A. Jagatkar

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WRIT PETITION NO. 8789 OF 2023

- 1) Anjuman-e-Taraqui-e-Urdu,  
Ahmednagar, through its Chairman,  
Syed Abdul Mateen s/o Syed Abdul  
Rehman.
- 2) Baig Sakib Sadiq. ... **Petitioners.**

Versus

- 1) The State of Maharashtra,  
Through its Secretary School  
Education and Sports Department,

Mantralaya, Mumbai-32.

- 2) The Director of Education (Secondary)  
Pune, Division Pune.
- 3) The Deputy Director of Education,  
Pune, Division Pune.
- 4) The Education Officer (Secondary)  
Zilla Parishad, Ahmednagar,  
District Ahmednagar

... **Respondents.**

...

Advocate for the Petitioners : Mr. Shaikh Mazhar A. Jahagirdar  
A.G.P. for the Respondents/State : Mr. A.A. Jagatkar

...

**WRIT PETITION NO. 8797 OF 2023**

- 1) Anjuman-e-Taraqui-e-Urdu,  
Ahmednagar, through its Chairman,  
Syed Abdul Mateen s/o Syed Abdul  
Rehman.
- 2) Shaikh Amir Abdul Jalal.

... **Petitioners.**

Versus

- 1) The State of Maharashtra,  
Through its Secretary School  
Education and Sports Department,  
Mantralaya, Mumbai-32.
- 2) The Director of Education (Secondary)  
Pune, Division Pune.
- 3) The Deputy Director of Education,  
Pune, Division Pune.
- 4) The Education Officer (Secondary)  
Zilla Parishad, Ahmednagar,  
District Ahmednagar

... **Respondents.**

...

Advocate for the Petitioners : Mr. Shaikh Mazhar A. Jahagirdar  
A.G.P. for the Respondents/State : Mr. A.A. Jagatkar

...

**WRIT PETITION NO. 8819 OF 2023**

- 1) Anjuman-e-Taraqui-e-Urdu,  
Ahmednagar, through its Chairman,  
Syed Abdul Mateen s/o Syed Abdul  
Rehman.
- 2) Shaikh Jawwad Ashfaque ... **Petitioners.**

Versus

- 1) The State of Maharashtra,  
Through its Secretary School  
Education and Sports Department,  
Mantralaya, Mumbai-32.
- 2) The Director of Education (Secondary)  
Pune, Division Pune.
- 3) The Deputy Director of Education,  
Pune, Division Pune.
- 4) The Education Officer (Secondary)  
Zilla Parishad, Ahmednagar,  
District Ahmednagar ... **Respondents.**

...  
Advocate for the Petitioners : Mr. Shaikh Mazhar A. Jahagirdar  
A.G.P. for the Respondents/State : Mr. A.A. Jagatkar

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

**DATE** : **24.07.2023**

**PER COURT :**

Heard.

2 The petitioners-Management and the individual employees are aggrieved by the orders passed by the respondent Deputy Director of Education refusing to grant approval to inclusion of the names of the employees in the online portal provided for disbursement of salary, on the ground that there is no staffing pattern approved in respect of the non-teaching staff of schools.

3. As can be seen, the initial appointments of the respective petitioner-

employees has been accorded approval. The current issue is only regarding the inclusion of their names in the *Shalarth I.D.* so that the salaries can be disbursed.

4. Considering the purport of the impending action, the question of approval to the staffing pattern would be completely out of context and wholly irrelevant. A coordinate bench of this Court in the matter of **Amol Baban Sangar Vs. State of Maharashtra in Writ Petition No. 8966 of 2021 (Nagpur Bench)** has *inter alia* emphatically laid down the limited scope available with the Deputy Director of Education when a proposal is received for inclusion of name of an employee in the online portal. The ground mentioned in the impugned communication is completely *de hors* the enquiry.

5. In Writ Petition No. 8020/2023 (Anjuman-e-Taraqui-e-Urdu, Ahmednagar Vs. State of Maharashtra) in respect of the same management, by the order dated 10.07.2023, we had directed inclusion of the names of the employees in the online portal by resorting to reconsideration.

6. The Writ Petitions are partly allowed. The impugned orders are quashed and set aside. The matter is relegated back to the respondent No. 3-Deputy Director of Education for decision afresh for granting approval to the petitioner Nos. 2 in all these petitions, for inclusion of their names in the *Shalarth ID*. However, the orders shall not be passed on the ground on which the impugned orders have been passed. The decision shall be taken within six weeks from today.

( SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-