

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

28 WRIT PETITION NO.11633 OF 2023

**RADHIKA SHRIRAM SALUNKE
VERSUS
THE EDUCATION OFFICER SECONDARY AND OTHERS**

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Advocate for Petitioner : Mr. Patil Aniket Vijaysinh
AGP for Respondents/State : Mr. PK. Lakhotiya
Advocate for R/2 & 3 : Mr. K.D. Pote

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**CORAM : RAVINDRA V. GHUGE &
Y.G. KHOBRAGADE, JJ.
DATE : 20th September, 2023**

PC. :-

1. The Petitioner seeks a direction to Respondent Nos.1 and 2 to approve the appointment of the Petitioner dated 10.04.2017. The learned advocate representing the Management / Respondent Nos.2 and 3 supports the Petitioner. Both of them submit that page 10 is the advertisement, which does not carry any date or the name of the newspaper. Page 21 is said to be the minutes of the selection committee's assessment of the candidates. The said purported minutes do not carry any date or any signature of any selection committee member. There is no averment that the permission of the Education Officer was taken to initiate the selection process.

2. We have perused the proposal dated 22.05.2017 forwarded by the Headmaster to the Education Officer (Secondary). The said proposal contains three sentences and besides the same, there is no reference to any selection process or advertisement. Page 30 is the purported appointment order of the Petitioner dated 10.04.2017. The said order indicates that the Petitioner made an application to the Management on 07.04.2017 seeking appointment as a Clerk and the Management appointed him as a Clerk on 10.04.2017. The appointment is signed by the Secretary of the Trust. Page 29 is the communication by the Petitioner dated 10.04.2017 in which the Petitioner has addressed the Headmaster that she is reporting for duties on 10.04.2017.

3. We, therefore, find that there is hardly any record before us or even before the Education Officer in order to favorably consider the appointment of the Petitioner. The learned AGP submits that the post on which the Petitioner claims to have been appointed is a grant in aid post and a highly suspicious and fictitious process seems to have been followed by the Management in appointing the Petitioner on an application made directly to the Management. The Petitioner joined duties within 48 hours of the filing of that application.

4. In view of the above, we do not find any reason to entertain this petition. **The same is, therefore, dismissed.**

5. In the event the Management has the original record available with it which it can tender to the Education Officer along with the original advertisement in a newspaper which is recognized by the Education Department for publishing such advertisements, the Management may produce such original record before the Education Officer, for seeking approval to the Petitioner's appointment. The Education Officer shall meticulously scan through the record and assess whether the appointment has been legally made or not. The issue of Pavitra Portal will also be considered.

[Y.G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]