

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 WRIT PETITION NO.10024 OF 2023

NARAYAN KALIDAS PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH IT'S SECRETARY AND
OTHERS

Mr.V.S.Panpatte, Advocate for the Petitioners.
Mr.S.G.Karlekar, AGP for Respondent Nos. 1 to 3.
Mr.I.D.Maniyar, Advocate for Respondent Nos.4 and 5.

(CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.)

DATE : SEPTEMBER 13, 2023

PER COURT :

1. The learned AGP submits on instructions that the deficiencies as were set out in the communication dated 28.07.2023 addressed by the Divisional Deputy Director (Education), Latur to the Principal of Respondent No.5, have now been removed by the Management and a proposal, complete in all respects, has been tendered.

2. We would appreciate if the learned AGP informs the concerned Divisional Deputy Director, Latur, Division Latur Dr.Ganpat

More that when he raises the issues as regards deficiencies, an opportunity to remove the deficiencies has to be granted and pending such removal of deficiencies, the proposal cannot be rejected in limine. It has to be kept pending.

3. In view of the above, **this Petition is partly allowed**. The impugned order dated 28.07.2023 is set aside only to the extent of the rejection of the proposal. Consequentially, the proposal shall stand restored. The learned AGP fairly submits that the concerned Authority would decide the said proposal in the light of the fresh inputs by the Management, within 30 days on it's own merits.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)