

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

79 WRIT PETITION NO.13238 OF 2023

GANESH KAUTIK PATIL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Ms. Seema Gaikwad h/for Mr. Ajay G. Talhar, Advocate for Petitioner
Mr. P. S. Patil, AGP for Respondents State

CORAM : RAVINDRA V. GHUGE &
Y. G. KHOBRAGADE, JJ.

DATE : 25th October, 2023

ORDER:

1. The proposal seeking approval to the appointment of the Petitioner has been rejected vide impugned order dated 02.08.2022 only for the reason that there is a dispute in the Management.

2. In several cases, we have held that the Education Officer would concentrate on the material aspects in a matter and only in the event of the signatory to the appointment order being suspicious or disputed, that he may cause a detailed inquiry and pass a reasoned order.

3. In view of the above, **this Petition is partly allowed** only for the reason set out herein above. The impugned order dated 02.08.2022 is quashed and set aside and the matter is restored to the file of Respondent No.2 -Education Officer who shall follow the due

procedure laid down in law by issuing notices to all the stakeholders and after due verification of the record, pass a reasoned order within 90 days

(Y. G. KHOBRAGADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan