



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

992 WRIT PETITION NO. 15640 OF 2023

SANGAMESHWAR SANJIVAN BIRAJDAR AND OTHERS

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

.....Respondent

AND

1000 WRIT PETITION NO. 15649 OF 2023

JYOTI SHIVANAND RAGUDE

....Petitioner

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

.....Respondent

.....

Mr. Dhage Vivek J., Advocate for Petitioners

Mr. P. K. Lakhotiya and Ms. Priya R. Bharaswadkar, AGPs for
Respondents State

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

DATE : 20th December, 2023

ORDER:

1. The Petitioners are identically placed. They are aggrieved by the impugned orders, both dated 11.09.2023, by which Respondent No.2 has pointed out deficiencies in the proposal and instead of calling upon the Management to remove the deficiencies, he has rejected the proposal.

2. In several matters, we have observed that instead of disposing off the proposal after raising certain queries or objections, it would be appropriate to allow the Management to cure the deficiencies/remove

objections and thereafter, the authority should consider the proposal on its own merits, provided, the deficiencies are curable.

3. In view of the above, **these Petitions are partly allowed.**

4. The impugned orders are quashed and set aside and the proposals are restored to the file of Respondent No.2.

5. The Management shall remove all the deficiencies and submit documentary proof of removal of such deficiencies to Respondent No.2, within 45 days from today. Thereafter, Respondent No.2 would follow the due procedure laid down in law and after due scrutiny/verification, pass a reasoned order within 60 days thereafter.

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)

JPChavan