

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.5006 OF 2023

Rasika Ramchandra Randive .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

***WITH
WRIT PETITION NO.5023 OF 2023***

Kasari Shikshan Prasarak Mandal & Ors. .. Petitioners
Versus
The State of Maharashtra & Ors. .. Respondents

***WITH
WRIT PETITION NO.14048 OF 2023***

Asmita Vishwas Dakare .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

***WITH
WRIT PETITION NO.14049 OF 2023***

Padmashree Narayan Patil .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

***WITH
WRIT PETITION NO.3836 OF 2023***

Madhuri Hindurao Patil .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

***WITH
WRIT PETITION NO.3835 OF 2023***

Subhash Banda Kadam .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

WITH
WRIT PETITION NO.14050 OF 2023

Sou.Suchita Santosh Shahapurkar
(Nee Smt.Suchita Powar)

.. Petitioner

Versus

The State of Maharashtra & Ors.

.. Respondents

Mr.Prashant Bhavake for the petitioners.

Mr.V.M. Mali, A.G.P. for the respondents-State.

CORAM : G.S.KULKARNI &
JITENDRA JAIN, JJ.
DATE : 7th November 2023

P.C.:-

. These are seven petitions. Similar reliefs are sought by the petitioners who are appointed by the respective educational institutions as “Shikshan Sevak”. The issue is in regard to the approval of the petitioners’ appointments on the proposals forwarded to the concerned Education Officer.

2. Mr.Bhavake, learned counsel for the petitioners has drawn our attention to an order dated 2nd November 2023 passed in Writ Petition No.2435 of 2023 in case of Smt.Savita Hindurao Sathe whereby in similarly circumstances, this Court had disposed of the petition by following order :-

“3. Pursuant to an advertisement published in the newspaper by Respondent No.6 for the posts of Shikshan Sevak at Respondent No.7 Secondary School, the Petitioner applied and was appointed for the said post. The Respondent No.7 submitted proposal dated 24th August 2018 for approval of the Petitioner’s appointment to Respondent No.5. However till date, the Respondent No.5 has not taken any decision on the said proposal submitted by Respondent

Nos.6 and 7. It is with such grievance this backdrop that the present Petition is filed.

4. After hearing the parties, we are of the opinion that Respondent No.5 is directed to decide the proposal dated 24th August 2018, as made by Respondent Nos.6 and 7 seeking approval to the appointment of the Petitioner to the post of Shikshan Sevak, in accordance with law as expeditiously as possible and in any case, within a period of six weeks from the date of receipt of a copy of the order.

5. We further direct that in case the approval to the appointment of the Petitioner is granted, name of the Petitioner shall be entered in "Shalarth System" by Respondent No. 5 and the Petitioner shall be allotted Shalarth ID and all consequential benefits within a period of four weeks from the date of the approval."

3. From a perusal of the averments as made in the petitions and considering the fact that the petitioners are already in service of respective educational institutions working as Shikshan Sevaks, in our opinion, the proposals, if any, forwarded to the Education Officer were required to be decided by the concerned Deputy Directors of Education in accordance with law.

4. We accordingly dispose of these petitions in terms of paragraphs 4 and 5 of the order dated 2nd November 2023 passed in Writ Petition No.2435 of 2023, by the following order :-

- (i) The concerned Education Officer are directed to decide the proposals as forwarded by the petitioners' educational institutions seeking approval to the appointments of the petitioners to the post of Shikshan Sevank, in accordance with law and as expeditiously as possible and in any case, within a period of six weeks from the date of receipt of a copy of this order.

- (ii) In case approval to the appointments of the petitioners is granted to the petitioners, names of the petitioners shall be entered in “Shalarth System” by the concerned Deputy Directors of Education and as also, the petitioners shall be allotted Shalarth ID and all consequential benefits within a period of four weeks from the date of the approval.
- (iii) Writ petitions are disposed of in above terms.
- (iv) No order as to costs.
- (v) Parties to act on the authenticated copy of this order.

JITENDRA JAIN, J.

G.S.KULKARNI, J.

corrected as per speaking to the minutes order dated 09.11.2023