



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7366 OF 2023

Sarika Thakaji Kadali & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.11435 OF 2023

Usha Laxman Dalvi & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.11436 OF 2023

Yogita Harichandra Shingte & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.11434 OF 2023

Nilesh Arun Dhale & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

ALONG WITH

WRIT PETITION NO.11279 OF 2023

Jayesh Nana Dige & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

**ALONG WITH
WRIT PETITION NO.11767 OF 2022**

Rajendra Ramdas Sawant .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

**ALONG WITH
WRIT PETITION NO.11768 OF 2022**

Smt. Vaishali Pratap Pathak .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

**ALONG WITH
WRIT PETITION NO.11770 OF 2022**

Mrs. Suprabha Sanjay Sasane .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

**ALONG WITH
WRIT PETITION NO.11788 OF 2022**

Priti Bahusaheb Jondhale & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

**ALONG WITH
WRIT PETITION NO.11790 OF 2022**

Sanjiv Tatyaba Shepal & Anr. .. Petitioners
Vs.
The State of Maharashtra & Ors. .. Respondents

**ALONG WITH
WRIT PETITION NO.11966 OF 2022**

Ramesh Bhimrao Salunkhe

.. Petitioner

Vs.

The State of Maharashtra & Ors.

.. Respondents

- Mr. N.V. Bandiwadekar, Senior Advocate i/b. Ms. A.N. Bandiwadekar for the Petitioner in all petitions.
- Ms. S.S. Bhende, AGP for Respondent-State in all petitions.
- Mr. Sagar Talekar for Respondent Nos.4 & 5 in WP/11966/2022.
- Mr. Suresh M. Kamble, for Respondent No.3 in WP/11966/2022.

**CORAM : SUNIL B. SHUKRE &
SANDEEP V. MARNE, JJ
DATE : 11th SEPTEMBER, 2023**

ORAL JUDGMENT (PER : SUNIL B. SHUKRE, J.)

1. Rule. Rule made returnable forthwith. By consent of learned counsel for the respective parties heard finally.

2. In all these petitions, the approval to the appointments of the petitioners and approval to the transfer of some of the petitioners from unaided posts to aided posts were granted by the Education Officer earlier, but those approvals were withdrawn by the Deputy Director, Education when the proposal came to him for inclusion of names of these petitioners in Shalarth ID system, which has been devised by the State Government to facilitate the online payment of salary to the school employees.

3. This Court has taken a consistent view that object of the

Shalarth system being to streamline the system of online payment of salary to the school employees, the Deputy Director Education departing from the object of the system, cannot again look into the aspect of the approval granted to the school employees and reconsider the issue of approval granted to his appointment or his transfer from unaided post to the aided post, except on some grounds permissible in law. One of such cases is the case of Amol Baban Sangar Vs. The State of Maharashtra & Ors. in Writ Petition No.8966 of 2021 decided on 21st February, 2022. This case was followed recently by this Court in the case of Asha Lata Dattatray Mane Vs. The State of Maharashtra & Ors. in Writ Petition No.14724 of 2022 decided on 4th September, 2023.

4. In the present petitions, ignoring the law laid down by this Court in the above referred cases and there being no exceptional grounds available, the Deputy Director of Education has again dug out the issue of grant of approval to the appointments or to the transfer of the petitioners without having any authority in law, which is a patent illegality committed by the Deputy Director, Education, which needs to be corrected by interfering in the matter by this Court. Accordingly, all these petitions deserve to be allowed and they are allowed accordingly.

5. The impugned orders of withdrawal or rejection of the approval passed by the concerned Deputy Director, Education are hereby quashed and set aside.

6. We direct that the name of the petitioners be included in the Shalarth ID system within two weeks from the date of receipt of the writ of the Court and thereafter, the arrears of salary and salary as

payable to each of the petitioners shall be paid to each of the petitioners within a period of eight weeks from the date of inclusion of their names in the Shalarth ID system.

7. Rule is made absolute in the above terms.

8. Writ Petition are disposed of accordingly.

[SANDEEP V. MARNE, J.]

[SUNIL B. SHUKRE, J.]