



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 6004 of 2023

Suhas s/o Ramchandra Gawande and another
vs.

The State of Maharashtra, through its Secretary, Education Department, Mumbai & another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri K. V. Kothale, Advocate for petitioners.
Shri A.S.Fulzele, Additional Government Pleader for respondents.

CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 8th SEPTEMBER 2023

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Rule. Rule made returnable forthwith. Shri A.S.Fulzele, learned Additional Government Pleader waives service of notice for the respondents.

2. The challenge raised in the present writ petition is to the order dated 15.02.2021 passed by the Education Officer (Secondary), Zilla Parishad, Amravati, rejecting the proposal seeking approval to the appointment of the petitioner no.1. Reason assigned is that in view of Circular dated 04.05.2020 there is a ban on recruitment.

3. Having heard the learned counsel for the parties, we find that the reason assigned while rejecting the proposal would no longer survive since the Circular dated 04.05.2020 has now ceased to operate. There being no ban on recruitment now, we find that the interest of justice would be served by passing the following order:

- (i) The order dated 15.02.2021 passed by the Education Officer (Secondary), Zilla Parishad, Amravati is set aside.
- (ii) The petitioners are directed to make a fresh application seeking approval to the appointment of the petitioner no.1. If such application

is made by the petitioners in accordance with the procedure prescribed, a decision thereon shall be taken within a period of four weeks of submission of such application. Decision taken be communicated to the petitioners.

4. Rule is disposed of in aforesaid terms with no order as to costs.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.