



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

960 WRIT PETITION NO. 822 OF 2023

RAGHWENDRA MADHAVRAO GAIKWAD

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE PRINCIPAL SECRETARY
AND OTHERS

...

Advocate for the Petitioner : Mr. Shelke Shivaji T.
Addl. GP for Respondent nos. 1 & 2 : Mr. A.R. Kale
Advocate for Respondent no. 3 & 4 : Mr. S.S. Wagh

...

WITH

WRIT PETITION NO. 823 OF 2023

MAHESH S/O KISHANRAO DESHMUKH

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Shelke Shivaji T.
Addl. GP for Respondent nos. 1 & 2 : Mr. A.R. Kale
Advocate for Respondent no. 3 & 4 : Mr. S.S.Wagh

...

WITH

WRIT PETITION NO. 1151 OF 2023

HARISH SHRINIWAS BAJAJ

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

...

Advocate for the Petitioner : Mr. Shelke Shivaji T.
Addl. GP for Respondent nos. 1 & 2 : Mr. A.R. Kale
Advocate for Respondent no. 3 & 4 : Mr. T.P. Shirsath

...

WITH

WRIT PETITION NO. 1152 OF 2023

KAILASH S/O ASHOK PATIL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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...
Advocate for the Petitioner : Mr. Shelke Shivaji T.
Addl. GP for Respondent nos. 1 & 2 : Mr. A.R. Kale
Advocate for Respondent no. 3 & 4 : Mr. T.P. Shirsath

...
WITH
WRIT PETITION NO. 1166 OF 2023

DATTARAM ANANDRAO JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. Shelke Shivaji T.
Addl. GP for Respondent nos. 1 & 2 : Mr. A.R. Kale
Advocate for Respondent no. 3 & 4 : Mr. T.P. Shirsath

...
WITH
WRIT PETITION NO. 4023 OF 2024

BUTTANWAD DATTA S/O RAJESHWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for the Petitioner : Mr. Shelke Shivaji T.
Addl. GP for Respondent nos. 1 & 2 : Mr. N. D. Batule

...

CORAM : **MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : **07.08.2024**

PER COURT :

Heard both the sides in all these matters.

2. The petitioners are challenging the similar orders whereby approvals for their appointments have been rejected by the impugned communications/orders only on the ground that the appointments were not made through *Pavitra Portal* as per the government resolution dated 23.06.2017.

3. We find that there is no objective scrutiny by the Deputy Director of Education-respondent no. 2 regarding appointments of the petitioners. We have already taken a view in the matter of **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra Through its Secretary and others (Writ Petition No. 13150 of 2022, decided on 10.06.2024)** that procedure of appointment through *Pavitra Portal* as contemplated by government resolution dated 23.06.2017 has not been put to effective use. Only on that count, the proposal cannot be rejected.
4. In that view of the matter, we can dispose of the writ petitions by directing the respondent no. 2-Deputy Director of Education, to reconsider the proposals on their own merits.
5. The impugned orders are quashed and set aside.
6. Respondent no. 2-Deputy Director of Education shall decide the proposals afresh on its own merits, within a period of four weeks from today, but he shall not reject the proposals on the self-same ground mentioned in the impugned orders.
7. The Writ Petitions are disposed of in the above terms.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

mkd/-