



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3941 OF 2022

Bhushan Vniesh Nikam .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri V. S. Panpatte, Advocate for the Petitioner.

Shri N. D. Batule, A.G.P. for the Respondent Nos. 1 and 2.

Shri I. D. Maniyar, Advocate for the Respondent Nos. 3 and 4.

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

DATE : 12 AUGUST, 2024.

FINAL ORDER (Per Shailesh P. Brahme, J.) :-

. Heard.

2. Petitioner's proposal seeking approval to his appointment came to be rejected by the respondent No. 2/Education Officer (Secondary) Zilla Parishad, Jalgaon vide communication dated 26 November 2021 only on the ground that the procedure as contemplated by the Government Resolution dated 23.06.2017 was not followed.

3. We have already taken a view by **order dated 10.06.2024 in Writ Petition No. 13150 of 2022** in the matter of **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra and others** that the Education Officer/Deputy Director of Education

has to conduct objective scrutiny of the proposal and it cannot be rejected only on the ground that procedure as contemplated by the Government Resolution was not followed.

4. In that view of the matter, we dispose of the petition by quashing the communication dated 26 November 2021 and directing the respondent No. 2/Education Officer (Secondary), Zilla Parishad, Jalgaon to reconsider the proposal of the petitioner for grant of approval to his appointment on its own merits. The decision shall be taken as expeditiously as possible and in any case within a period of four (04) weeks from today. However, same shall not be rejected on the grounds mentioned in the impugned communication.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/Aug. 24