



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.2758 OF 2022

1. PACHORA TALUKA SAHAKARI SHIKSHAN SANSTHA
THROUGH ITS CHAIRMAN
2. THE HEADMASTER, SAU. S.G. PATIL MADHYAMIK
VIDYALAYA, BHADGAON, TQ. BHADGAON DIST. JALGAON
3. NIRAD S/O VINAY JAKATDAR, SHIKSHAN SEVAK AT
SAU. S.G. PATIL MADHYAMIK VIDYALAYA,
BHADGAON, TQ. BHADGAON DIST. JALGAON

VERSUS

1. THE STATE OF MAHARASHTRA THR. THE SECRETARY
2. THE EDUCATION OFFICER (SECONDARY)
ZILLA PARISHAD, JALGAON

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Advocate for the Petitioner : Mr. M.P. Tripathi h/f. Mr. Gite Umesh B.
AGP for Respondents/State: Mr. A.R. Kale

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

DATE : **23.08.2024**

PER COURT:

Heard.

2. Petitioner's proposal seeking approval to his appointment came to be rejected by respondent No.2 – Education Officer (Secondary), Zilla Parishad, Jalgaon vide communication dated 31.08.2021 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 writ petition by quashing the communication dated 31.08.2021 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.)

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