



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 WRIT PETITION NO. 1750 OF 2024

SHIVSHANKAR DATTARAM MIRASHE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. T.M. Venjane
Addl.GP for the respondent – State : Mr. P.S. Patil
...

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

DATE : 10 JULY 2024

PC :

Heard.

2. The petitioner is aggrieved by the fact that in spite of grant of approval to his appointment by the Education Officer way back on 31-12-2020, by the impugned communication, the Deputy Director of Education has refused to include his name in the Shalarth Pranali for online disbursement of salary.

3. The only reason mentioned in the impugned communication dated 06-11-2023 mentioned by the Deputy Director of Education is the fact that the petitioner was appointed after 24-08-2019 and his appointment was not through the Pavitra Portal as per the government resolution dated 23-06-2017.

4. The very fact that the impugned communication merely refuses to include petitioner's name in the Shalarth Pranali, is the objection regarding his initial appointment being not through Pavitra Portal according to the government resolution dated 23-06-2017.

5. Once having seen that the approval to the petitioner's appointment granted by the Education Officer on 31-12-2020 still subsists, it is merely a matter of receiving salary through the online mode. This Court in the matter of ***Amol Baban Sangar Versus State of Maharashtra; 2022 SCC OnLine Bom 382*** and several other subsequent matters, had expressly observed that once approval to the initial appointment has been granted, the Deputy Director of Education does not have power to undertake a fresh scrutiny regarding the approval, rather he cannot refuse to grant permission for including the name in the Shalarth Pranali.

6. In the light of above, the writ petition is allowed.

7. The impugned order is quashed and set aside.

8. The Deputy Director of Education shall pass appropriate order directing petitioner's name to be included in the Shalarth Pranali as early as possible and in any case within four (4) weeks.

9. It is made clear that we have not expressed anything about the appointment of petitioner or sustainability of the approval granted to his appointment.

10. Rule is made absolute in above terms.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/