



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2812 OF 2024

Balaji S/o Shivajirao Munde
Age : 25 years, Occu. Service as
Assistant Teacher, R/o At Post Shekapur,
Tq. Kandhar, Dist. Nanded

.. Petitioner

Versus

The State of Maharashtra
Through its Secretary
Education Department
Mantralaya, Mumbai – 32 and others

.. Respondents

...
Advocate for petitioner : Mr. V.S. Panpatte
Addl. GP for the respondent – State : Mr. P.S. Patil
Respondents no. 5 and 6 – served – absent.

...

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

DATE : 26 SEPTEMBER 2024

PER COURT:

Heard.

2. Petitioner's proposal seeking approval to his appointment came to be rejected by the respondent No. 3 – Education Officer (Secondary) Zilla Parishad, Nanded vide communication dated 27 December 2022 only on the ground that it was not through *Pavitra Portal* as per Government Resolution dated 07.02.2019.

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 27 December 2022 and directing the respondent No.3 - Education Officer (Secondary) Zilla Parishad, Nanded 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]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/