



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

WRIT PETITION NO. 8509 OF 2024

ASHISH BHAUSAHEB SHINDE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS**

...

Advocate for Petitioner : Mr. Gadhe Ganesh Asaram

AGP for Respondents/State : Mr. S.P. Joshi

...

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

DATE : 12 AUGUST 2024

PER COURT :

. The petitioner is challenging the order passed by the respondent no.2/Divisional Deputy Director of Education, Latur dated 07.02.2024, refusing to grant approval to his appointment as an Assistant Teacher on the ground that the appointment was not made through the Pavitra Portal in the light of the Government Resolution dated 23.06.2017.

2. 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.

3. In view of such state of affairs, the respondent no.2 could not have rejected the proposal by referring to the Government Resolution dated 23.06.2017. He ought to have consider the proposal from all the angles.

4. The writ petition is allowed. The Impugned order is quashed and set aside. The respondent no.2/ Divisional Deputy Director of Education, Latur shall consider the proposal afresh as expeditiously as possible and in any case within six weeks. However, it shall not be rejected by referring to the Government Resolution dated 23.06.2017.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb..