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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 WRIT PETITION NO. 2514 OF 2024

MUSHEERA ALMAS SHAIKH SABER AHMED AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS

Mr.V.S.Panpatte, Advocate for the Petitioners.
Mr.R.S.Wani, AGP for Respondent /State.

(CORAM : RAVINDRA V. GHUGE AND
R.M. JOSHI, JJ.)

DATE : MARCH 5, 2024

PER COURT :

1. Leave to correct the prayer clause. Correction be carried out forthwith.

2. The Petitioners have been selected and appointed. It is claimed that the due selection procedure was followed. Their services on probation were approved. They received permanent approval and their names were also included in the *Shalarth ID*. On a complaint made by a stranger, the Divisional Dy.Director, Chhatrapati Sambhajanagar has passed an order on 24.01.2024, concluding that the appointment of the Petitioners is bogus and based on a fraud,

misrepresentation and suppression.

3. Issue notice to the Respondents, returnable on 03.04.2024, The learned AGP waives service of notice on behalf of all the Respondents.

4. The learned Advocate for the Petitioners submits on instructions that the Management is supporting the Petitioners and there is no reason to add the Management as a Respondent and no relief is to be sought against the Management.

4. We find that the services of these Petitioners were granted approval during the probation period. Their names are included in the *Shalarth ID*. 2 strangers namely Mr.Kadri and Mr.Vinod Bhole levelled reckless allegations against the Petitioners and this led Respondent No.2 / Deputy Director of Education to pass the impugned order dated 24.01.2024 thereby cancelling the approval granted to the Petitioners.

5. In view of the above, the impugned order shall stand stayed until further orders and the service conditions applicable to the

Petitioners, prior to the issuance of the impugned order, shall be continued. If the issue of confirmation of the services of these Petitioners arises, the Competent Authority shall seek leave of this Court before confirmation of services.

6. All office objections shall be removed on or before 26.03.2024 , failing which, the Petition would stand dismissed without reference to the Court on 27.03.2024.

(R.M.JOSHI, J.)

(RAVINDRA V. GHUGE, J.)