



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

957 WRIT PETITION NO. 3446 OF 2023

Phatangare Kiran Bhausaheb

VERSUS

The State Of Maharashtra Through The Principal Secretary
And Others

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Advocate for the Petitioner : Mr. Shelke Shivaji T.

AGP for Respondents : Mr. S J Salgare

Advocate for Respondent 3 : Mr. S.S. Wagh

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CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.

Dated : April 26, 2024

PER COURT :-

1. Heard learned advocate for the petitioner, learned AGP for respondent nos.1 and 2 and learned advocate Mr. Wagh for respondent no.3.

2. It appears that when proposal in respect of appointment of the petitioner has been decided by respondent no.2 by order dated 17/20.02.2023, he had found some deficiencies. In fact, when deficiencies in respect of the documents are found, this Court in earlier occasions had categorically instructed the Education Officer that they shall not reject the proposals but, give an opportunity by calling upon the Management to produce the documents in respect of which the deficiencies are found. Still the directions of this Court are not adhered to.

3. Learned counsel for respondent nos.3, on instructions, makes a statement that fresh proposal would be send after removing the deficiencies those have been quoted in the impugned order dated 17/20.02.2023.

4. We are of the considered opinion that the order dated 17/20.02.2023 should be treated as intimation to respondent nos.3 regarding deficiencies and there upon the respondent no. 3 to file fresh proposal by removing those deficiencies or giving appropriate reasons for the same in the proposal. Such proposal should be sent to respondent no.2 within a period of six (6) weeks from today. After receipt of fresh proposal, respondent no.2 to decide the same, on it's own merits within a period of Two (2) months thereafter. Decision so taken be informed to the respondent no.3.

5. In view of these directions, the order dated 17/20.02.2023 is hereby quashed and set aside. Writ Petition thereby stands partly **allowed and disposed off**.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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aaa/-