



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

WRIT PETITION NO. 8304 OF 2023

ANILKUMAR NAMDEV BHELONDE

VERSUS

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

...

Advocate for Petitioner : Mr. Panpatte V. S.

Addl.GP for Respondents/State : Mr. P.S. Patil

Advocate for Respondent No.4 and 5 : Mr. Bramhankar Rakesh C.

...

**CORAM : S. G. MEHARE AND
SHAILESH P. BRAHME, JJ.**

DATE : 18th NOVEMBER 2024

PER COURT :

. Heard.

2. Issue notice to the respondents. Learned AGP waives service of notice for respondents/State. Mr. Bramhankar learned Counsel waives service of notice for respondent nos. 4 and 5. The matter is taken up for final disposal with the consent of the parties.

3. The petitioner is challenging order dated 20.04.2022 passed by the respondent no.3 as well as order dated 12.09.2022 passed by the respondent no.2, rejecting the proposal only on the ground that appointment of the petitioner was not made in accordance with the Government Resolution dated 23.07.2017.

4. Learned Counsel for the petitioner submits that the issue involved in this petition is no more res-integra and already consistent

view has been taken by this Court in the matter of **Shaikh Jaweriya Khadarsab Vs. State of Maharashtra and Others**, in Writ Petition No.13150/2022 and **Lalit s/o Sureshrao Shinde Vs. State of Maharashtra and Others**, in Writ Petition No.14420/2021.

5. The proposal of the petitioner is turned down by the respondent no.3 for not following the Government Resolution dated 23.07.2017. No objective scrutiny has been made by the authority while rejecting the proposal. In view of the judgments which are cited by the petitioner, it would be appropriate to direct respondent no.3/Deputy Director of Education, Latur to reconsider the proposal on its merits.

6. The writ petition is partly allowed. The impugned order dated 20.04.2022 passed by the respondent no.3 and order dated 12.09.2022 passed by the respondent no.2, are quashed and set aside.

7. The respondent no.3/Deputy Director of Education, Latur shall reconsider the proposal and decide it on merits. However he shall not reject it for the reasons mentioned in the impugned communication.

8. The decision shall be taken within four weeks from today.

[SHAILESH P. BRAHME, J.]

[S. G. MEHARE, J.]

Najeeb..