



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO.8061 OF 2021

1. VITTHALRAO S/O HANMANTRAO THADKE
2. SAINATH S/O PARSHURAM JORGELWAR
3. SMT. ANJALI D/O GOPALRAO JOSHI
4. VITHAL S/O ROHIDAS HARALE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for the Petitioner : Mr. V.S. Panpatte

AGP for Respondent Nos.1 to 3 : Mr. A.R. Kale

Advocate for respondent Nos.4 and 5 : Mr. B.P. Gonare

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

DATE : 19.08.2024

PER COURT:

Heard.

2. Petitioners' proposals seeking approval to their appointments came to be rejected by respondent No.3 – Education Officer (Secondary), Nanded vide communication dated 18.01.2021 only on the ground that the procedure as contemplated by the Government Resolution dated 23.06.2017 was not followed.

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 18.01.2021 and directing the respondent No.3- Education Officer (Secondary), Nanded to reconsider the proposals of the petitioners for grant of approval to their appointments on their 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, J.)**

**(MANGESH S. PATIL, J.)**

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