



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 WRIT PETITION NO. 7259 OF 2024

MOHINI ASARAM NAGARJOGE
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

AND

19 WRIT PETITION NO. 7273 OF 2024

JAYSHREE SHANKAR KANDELKAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...

Advocate for petitioner in both WPs :Mr. Vinod P. Patil
AGP for the respondent – State : Mr. K.N. Lokhande

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

DATE : 22 JULY 2024

ORAL ORDER (SHAILESH P. BRAHME, J.) :

Heard both the sides finally.

2. In both petitions, petitioners are employees of the respondent no. 5 – institution. After their appointment, proposal were forwarded to respondent no. 4 – Education Officer (Secondary) seeking approvals. Those proposals were turned down by respondent no. 4 – Education Officer by the impugned orders dated 20-02-2024 and 19-12-2023 recording that the appointments were not made in accordance with government resolution dated 23 June 2017 and thereby non-

compliance of certain documents which were forwarded along with the proposals.

3. Learned advocate for the petitioners submits that in-fact, the documents showing the appointments of the petitioners are in accordance with law, are annexed to the petition.

4. We have taken a view in the matter of ***Shaikh Jaweria Khadarsab Vs. State of Maharashtra*** (WP/13150/2022 order dated 10-06-2024) that the Education Officer has to make objective scrutiny of the proposals and it cannot be turned down merely because there is non-compliance of the government resolution dated 23 June 2017.

5. The decisions shall be taken within four (4) weeks from today.

6. Writ petitions are disposed of.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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