



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

**WRIT PETITION NO. 6337 OF 2023**

Sandeep s/o Marotrao Uminwade,  
Age : 39 years, Occu. Service,  
As Shikshan Sevak,  
R/o Khadki Bazar, Tq. Himayatnagar,  
Dist. Nanded.

...Petitioner

**Versus**

1. The State Of Maharashtra  
Through Its Principal Secretary  
Education Department,  
Mantralaya, Mumbai-32.
2. The Deputy Director of Education,  
Latur Division, Dist. Latur.
3. Samata Shikshan Prasarak Mandal  
Mothi Lath, Osmanagar, Tq. Kandhar,  
Dist. Nanded.  
Through its President/ Secretary.
4. Samata Secondary and Higher Secondary,  
Vidyalaya, Osmanagar, Tq. Kandhar,  
Dist. Nanded,  
Through Head Master.

...Respondents

...

Advocate for Petitioner : Mr. V.S. Panpatte  
Addl.GP for Respondents/State : Mr. A.R. Kale

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

**DATE : 06 AUGUST 2024**

**PER COURT :**

. The petitioner is challenging the impugned order dated

11.01.2023, whereby the respondent – Deputy Director of Education has refused to grant approval to the petitioner's appointment only on the ground that the appointment was not made through the Pavitra Portal as per the Government Resolution dated 23.06.2017.

2. The issue regarding such appointments being not through Pavitra Portal was addressed by us in several matters.

3. In **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra and Ors.**; Writ Petition No.13150/2022 dated 10.06.2024 we had an occasion to consider the issue we had observed that Pavitra Portal has not been put to effective use as was desired by the Government Resolution dated 23.06.2017 which was issued pursuant to the directions in the PIL NO.8/2015 dated 24.06.2015. Even the conduct of the State was commented upon in the order passed in Shaikh Jaweria Khadarsab (supra) to demonstrate that even it accepted the position that there is still limitation in undertaking the operation of that Pavitra Portal, compelling it to permit appointments to be made on temporary and contractual basis.

4. In the light of above, the impugned order refusing to grant approvals simply by quoting that it is not through Pavitra Portal is not sustainable. It would be imperative for the respondent – Deputy Director of Education to decide the proposal on its own merits independently.

5. The writ petition is allowed partly. The impugned order is quashed and set aside.

6. The respondent no.2/Deputy Director of Education, Latur shall consider the selfsame proposal afresh on its own merits. However, it shall not be rejected on the ground mentioned in the impugned communication.

7. The decision shall be taken as expeditiously as possible and in any case within six weeks.

[ SHAILESH P. BRAHME, J.]

[ MANGESH S. PATIL, J.]