

This order is corrected by Court's order dated 13.08.2024

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

1025 WRIT PETITION NO. 9259 OF 2023

VARSHA CHANDAR RATHOD

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioner : Mr. Patil Indrale Anand Vinayakrao

AGP for Respondent Nos. 1 & 2 : Mrs. P.J. Bharad

...

AND

1043 WRIT PETITION NO. 8286 OF 2021

ROHIT DNYANESHWAR SALUNKE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Petitioner : Mr. Barlinge S.R.

AGP for Respondent Nos. 1 & 2 : Mrs. P.J. Bharad

...

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

DATE : 08 AUGUST 2024

PER COURT :

Heard both the sides in both these matters.

2. The petitioners are challenging the similar orders whereby approvals for their appointments have been rejected by the impugned communications/orders only on the ground that the

appointments were not made through *Pavitra Portal* as per the government resolution dated 23.06.2017.

3. We find that there is no objective scrutiny by the Deputy Director of Education / Education Officer (Secondary) – respondent no. 2 regarding appointments of the petitioners. We have already taken a view in the matter of **Shaikh Jaweria Khadarsab Versus The State of Maharashtra Through its Secretary and others (Writ Petition No. 13150 of 2022, decided on 10.06.2024)** that procedure of appointment through *Pavitra Portal* as contemplated by government resolution dated 23.06.2017 has not been put to effective use. Only on that count, the proposal cannot be rejected.

4. In that view of the matter, we can dispose of the writ petitions by directing the respondent no. 2 – Deputy Director of Education / Education Officer (Secondary), to reconsider the proposals on their own merits.

5. The impugned orders are quashed and set aside.

6. Respondent no. 2 – Deputy Director of Education / Education Officer (Secondary) shall decide the proposals afresh on

their own merits, within a period of four weeks from today, but he shall not reject the proposals on the self-same ground mentioned in the impugned orders.

7. The Writ Petitions are disposed of in the above terms.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]