



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7281 OF 2024

1. Smt. Harshada d/o Bhaskar Chavan
 2. Smt. Bhagyashree d/o Nimba Patil
 3. Ku. Mayur s/o Nimba Patil
 4. Smt. Neha d/o Rajendra Mahale
- .. Petitioners**

Versus

The State of Maharashtra
Through its Principal Secretary,
School Education Department and others

.. Respondents

...

Mr. V. S. Panpatte, Advocate for the petitioners.
Mr. P. P. Dawalkar, Advocate for the respondent Nos.1 and 2 – State.

...

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

DATE : 15 JULY 2024

ORDER (Per Shailesh P. Brahme, J.) :-

Heard both the sides finally.

2. The petitioners are challenging order dated 29.12.2023 passed by respondent No.3 Education Officer rejecting the proposal seeking approval to the appointment of the petitioners.

3. The reason cited by the respondent No.3 Education Officer is that the appointments of the petitioners have not been made through Pavitra Portal as contemplated by Government Resolution dated 23.06.2017.

4. We find that there is no objective scrutiny by the Education Officer regarding appointments of the petitioners. We have already taken a view in the matter of **Shaikh Jaweria Khadarsab Vs. 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.

5. In that view of the matter, we can dispose of the writ petition by directing the respondent No.3 Education Officer to reconsider the proposal on its own merits.

6. The impugned order is quashed and set aside.

7. Respondent No.3 Education Officer shall decide the proposal afresh on its own merits within a period of four weeks, but he shall not reject the proposal on the selfsame ground mentioned in the impugned order.

8. Writ petition is disposed of in the above terms.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

scm