



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 WRIT PETITION NO. 7698 OF 2024

NAVNATH JAGANNATH YADAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. S.R. Kedar
AGP for the respondent – State : Mr.S.R. Yadav-Lonikar
Advocate for respondents no. 4 and 5 : Mr. Aniket S. Avhad
...

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

DATE : 07 AUGUST 2024

ORAL ORDER (MANGESH S. PATIL, J.) :

Heard.

2. Learned advocate Mr. Avhad submits that he has instructions to appear on behalf of respondents no. 4 and 5.

3. We have heard both the sides.

4. The petitioner is challenging the order passed by respondent no. 3 – Education Officer (Secondary) (**Exhibit – E**) whereby by pointing out several points / shortcomings in the proposal forwarded by the management for grant of approval, the Education Officer has refused to grant approval. Obviously, these are the queries which ought to have been complied with by the management. Its failure has resulted in the disapproval. The petitioner cannot be made to

suffer for the lapses on the part of the management. It is merely a matter of grant of approval to the appointment. The Education Officer can be directed to reconsider the proposal, if the management is ready to remove the shortcomings pointed out.

5. Learned advocate for respondents no. 4 and 5 also, on instructions, submits that the management would comply with the shortcomings noted by the Education Officer in the impugned communication.

6. In light of above, we allow the writ petition partly.

7. The impugned order is quashed and set aside.

8. The management – respondents no. 4 and 5 shall submit a fresh proposal duly complying with the shortcomings pointed out in the impugned communication, as expeditiously as possible and in any case within four (4) weeks and the Education Officer (Secondary) shall decide the proposal within four (4) weeks thereafter.

9. All the issues are kept open.

[SHAILESH P. BRAHME]
JUDGE

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[MANGESH S. PATIL]
JUDGE