



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

933 WRIT PETITION NO. 7988 OF 2024

KRISHNA HARICHANDRA BHARAT
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. V.S. Panpatte
AGP for the respondent – State : Mr. K.S. Patil
...

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

DATE : 30 JULY 2024

PC :

The petitioner is challenging the order whereby proposal for grant of approval to his appointment has been turned down only on the ground that it was not through the Pavitra Portal.

2. We have consistently held that the Pavitra Portal has not been in operation and in a desired manner. Rather, we have also observed in the matter of ***Shaikh Jaweria Khadarsab Vs. State of Maharashtra*** (writ petition no. 13150 of 2022 – order dated 10-06-2024) that realizing the practical difficulties, the state government has even permitted the posts to be filled on contractual basis.

3. Be that as it may, refusing to consider grant of approval only on the ground that the appointment was not through Pavitra Portal, in our considered view, would not be legally tenable.
4. The writ petition is allowed partly.
5. The impugned order is quashed and set aside.
6. The matter is remitted back to respondent no. 2 – Education Officer for considering the selfsame proposal on its own merits. The decision shall be taken as expeditiously as possible and in any case within six (6) weeks, however, it shall not be rejected on the ground mentioned in the impugned order dated 19-06-2023 (**Exhibit – I**).

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

arp/