



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.7085 OF 2024

Prachi d/o Purushottam Rahatkar

... PETITIONER

VERSUS

1. The State of Maharashtra,
through it's Principal Secretary,
Sports and Education Department,
Mantralaya, Mumbai-32.
2. The Divisional Deputy Director of
Education Division Latur, Dist. Latur.
3. The Education Officer (Secondary)
Zilla Parishad, Nanded
4. Samata Shikshan Prasarak Mandal,
Mothi -Lath, Osmannagar,
Tq. Kandhar, Dist. Nanded,
through it's President,
having official address
as Samta Secondary and Higher
Secondary School, At Osmannagar,
Tq. Kandhar, Dist. Nanded
5. The Head Master,
having official address as
Samta Secondary and Higher
Secondary School, At Osmannagar,
Tq. Kandhar, Dist. Nanded,

... RESPONDENTS

...

Advocate for the Petitioner : Mr. Gadhe Ganesh Asaram
AGP for Respondents: Mr. D.R. Korde

...

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

DATE : 01.08.2024

ORDER (PER : SHAILESH P. BRAHME, J.) :

Heard both the sides finally.

2. The petitioner is questioning the order dated 23.02.2023 passed by respondent No.2 – Deputy Director of Education rejecting the proposal for seeking approval to the appointment of the petitioner.

3. The petitioner was appointed on 01.01.2021 with the respondent No.4 – College. The proposal was forwarded on 05.02.2023 to the respondent No.2. By the impugned order, it was rejected only on the ground that the procedure contemplated by Government Resolution dated 23.06.2017 was not followed. We have already taken view in the matter of **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra; W.P. No.13150/2022**, dated 10.06.2024 that the procedure for appointment through Pavitra Portal has not been put to desired use. The proposal cannot be rejected solely on the ground of non-compliance of the Government Resolution.

4. The respondent No.2 has not scrutinized the proposal objectively. In that view of the matter, writ petition is disposed of with the direction to respondent No.2 to reconsider the proposal, on its own merits, within a period of four weeks. However, he shall not rejected the same on the selfsame ground mentioned in the impugned communication. Impugned order is quashed.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)