



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

WRIT PETITION NO. 238 OF 2023

Vilas Diliprao Jadhav

.. Petitioner

Versus

The State of Maharashtra and others

.. Respondents

Shri V. S. Panpatte, Advocate for the Petitioner.

Mrs. M. L. Sangeet, A.G.P. for the Respondent Nos. 1 and 2.

Shri R. C. Bramhankar, Advocate for the Respondent Nos. 3 & 4.

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

DATE : 25 JULY, 2024.

FINAL ORDER (Per Shailesh P. Brhame, J.) :-

. Heard both the sides finally.

2. Petitioner is challenging order dated 29 March 2022 passed by the respondent No. 2/Deputy Director of Education, Latur Division, Latur rejecting the proposal of the petitioner which was submitted, seeking approval to the appointment of the petitioner. Petitioner was appointed in the respondent No. 4/Higher Secondary School on 14.12.2020. His proposal was submitted to the respondent No. 2/Deputy Director of Education, which was rejected by the impugned order solely on the ground that the appointment was not made pursuant to the Government Resolution dated 23.06.2017.

3. It appears from the impugned order that no objective scrutiny was made by the Deputy Director of Education. We have already taken a view vide **order dated 10.06.2024 in Writ Petition No. 13150 of 2022** in the matter of **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra and others** and **Lalit Shinde Vs. The State of Maharashtra** that the modalities under G. R. dated 23.06.2017 were not put to effective use. The respondent No. 2 should have conducted objective scrutiny of the procedure being followed while issuing appointment. In that view of the matter, we relegate the matter to the respondent No. 2 to decide the same afresh.

4. Writ petition is disposed of with direction to the respondent No. 2/Deputy Director of Education, Latur Division, Latur to decide the proposal of the petitioner for grant of approval to his appointment afresh and on its own merits. The decision shall be taken as expeditiously as possible and in any case within a period of four (04) weeks from today. The respondent No. 2 shall not reject the same on the grounds mentioned in the impugned communication.

[**SHAILESH P. BRAHME, J.**] [**MANGESH S. PATIL, J.**]

bsb/July 24