



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.11294 OF 2024

SANJAY DATTARAM PANDIRWAD
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for the Petitioner : Mr. Panpatte V.S.
AGP for Respondents: Ms. P.J. Bharad
...

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

DATE : 09.10.2024

PER COURT:

Heard.

2. Petitioner's proposal seeking approval to his appointment came to be rejected by respondent No.3 – the Education Officer (Secondary), Zilla Parishad, Nanded vide communication dated 27.02.2024 only on the ground that the procedure as contemplated by the Government Resolutions dated 07.02.2019 and 10.06.2022 was not followed.

3. We have already taken a view by 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 that the Education Officer/Deputy Director of Education has to conduct objective scrutiny of

the proposal and it cannot be rejected only on the ground that procedure as contemplated by the Government Resolution was not followed.

4. In that view of the matter, we dispose of the petition by quashing the communication dated 27.02.2024 and directing the respondent No.3 – Education Officer (Secondary), Zilla Parishad, Nanded to reconsider the proposal of the petitioner for grant of approval to his appointment on its own merits. The decision shall be taken as expeditiously as possible and in any case within a period of four weeks from today. However, same shall not be rejected on the grounds mentioned in the impugned communication.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)

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