



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

37 WRIT PETITION NO. 9484 OF 2024

AKASH MOHANRAO CHAVAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH
ITS PRINCIPAL SECRETARY AND OTHERS

...
Advocate for petitioner : Mr. V.S. Panpatte
AGP for the respondent – State : Mr. V.M. Jaware
...

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

DATE : 2 SEPTEMBER 2024

PC :

Heard.

2. Petitioner's proposal seeking approval to his appointment came to be rejected by the respondent No. 2 – Deputy Director of Education, Latur vide communication dated 28 August 2023 only on the ground that the procedure as contemplated by the Government Resolution dated 20.06.2018 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 28 August 2023 and directing the respondent No. 2 - Deputy Director of Education, Latur to reconsider the proposal of the petitioners for grant of approval to their appointments 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. However, same shall not be rejected on the grounds mentioned in the impugned communication.

[SHAILESH P. BRAHME]
JUDGE

[MANGESH S. PATIL]
JUDGE

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