



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13419 OF 2021

Nagnath S/o Sambhaji Dhulekar

... PETITIONER

VERSUS

1. The State of Maharashtra,
through its Secretary,
Education Department,
Mantralaya, Mumbai-32.
2. The Education Officer (Secondary)
Zilla Parishad, Nanded
3. Chetna Shikshan Prasarak Mandal,
Kolhe Borgaon, Tq. Bilolli, Dist. Nanded
Office at Vidhya Niketan Girls
Secondary and Higher Secondary School
Billoli Dist. Nanded
through its President/Secretary
4. Vidhya Niketan Girls Secondary
and Higher Secondary School,
Billoli Dist. Nanded
through Head Master

... RESPONDENTS

...

Advocate for the Petitioner : Mr. V.S. Panpatte

AGP for Respondent/State : Mr. V.M. Jaware

Advocate for respondent Nos.3 and 4: Mr. S.S. Deshmukh

...

CORAM

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

DATE

: 13.08.2024

PER COURT:

Heard.

2. The Petitioner is challenging the order, whereby, approval for his appointment has been rejected by the impugned communication dated 14.12.2024 only on the ground that the appointment was not made

through Pavitra Portal as per the Government Resolution dated 23.06.2017.

3. We find that there is no objective scrutiny by respondent No.2 - Education Officer (Secondary), Zilla Parishad, Nanded regarding appointment of the petitioner. We have already taken a view in the matter of **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra and others (Writ Petition No. 13150 of 2022, decided on 10.06.2024)** that procedure of appointment through Pavitra Portal as contemplated by Government Resolution dated 23.06.2017 has not been put to effective use. Only on that count, the proposal cannot be rejected.

4. In that view of the matter, we can dispose of the writ petition by directing the respondent No.2 – Education Officer (Secondary) Zilla Parishad, Nanded to reconsider the proposal on its own merits.

5. The impugned order is quashed and set aside.

6. Respondent No.2 – Education Officer (Secondary) shall decide the proposal afresh on its own merits, within a period of four weeks from today, but he shall not reject the proposal on the selfsame ground mentioned in the impugned order.

7. The Writ Petition is disposed of in the above terms.

(SHAILESH P. BRAHME, J.)

(MANGESH S. PATIL, J.)