

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

950 WRIT PETITION NO. 13347 OF 2024

ASHWINKUMAR VYANKAT PAWAR

VERSUS

**THE STATE OF MAHARASHTRA THROUGH THE EDUCATION
OFFICER SECONDARY AND OTHERS**

...

Mr. V.S. Panpatte, Advocate for the petitioner.

Mr. S.S. Dande, A.G.P. for respondent No.1/State.

...

**CORAM : S.G. MEHARE &
SHAILESH P. BRAHME, JJ.**

DATED : 6 DECEMBER 2024

ORDER:-

. Heard learned Counsel for the petitioner. Issue notice to the respondents. Learned A.G.P. waives service of notice for respondent No.1. Respondent Nos.2 and 3 are the formal parties.

2. Petitioner's services were terminated since the approval was not granted. He had impugned his termination before the School Tribunal. By an order dated 13.07.2022 the School Tribunal set aside the termination and directed the Management to reinstate him in service.

3. Learned Counsel for the petitioner would submit that earlier in time the approval of the petitioner was rejected on 01.02.2022 on the ground that recruitment is not through Pavitra Portal and there was a ban in view of order dated

04.05.2020. He would submit that the law on these issues have been settled. He would submit that the Management has submitted a fresh proposal before respondent No.1 for approval. Since then it is pending for consideration.

4. Learned A.G.P. would submit that there was chequered history of litigation. Hence, the matter needs to be scrutinized minutely. So, he would request for sufficient time to decide the proposal.

5. After having gone through the papers, we are satisfied that the petition deserves to be allowed as prayed for. Respondent No.1 is directed to decide the proposal of the petitioner within four weeks from today. We also direct respondent No.1 that the proposal of the petitioner should not be rejected on the ground that appointment was not made through Pavitra Portal and there was a ban on appointment in view of the order dated 04.05.2020.

(SHAILESH P. BRAHME)
JUDGE

(S.G. MEHARE)
JUDGE