



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

951 WRIT PETITION NO. 13148 OF 2022

Ashutosh Avinash Karpe

VERSUS

The State Of Maharashtra Through The Principal Secretary
And Others

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Advocate for the Petitioner : Mr. Shelke Shivaji T.

AGP for Respondents : Ms. R P Gour

Advocate for Respondents 3,4 : Mr. S.S. Wagh h/f T P Shirsath

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CORAM : SMT. VIBHA KANKANWADI &
S. G. CHAPALGAONKAR, JJ.

Dated : April 26, 2024

PER COURT :-

1. Heard learned advocate for the petitioner, learned AGP for respondent nos.1 and 2 and learned advocate Mr. Wagh h/f Mr. Shirsath for respondent nos.3 and 4.

2. It appears that when proposal in respect of appointment of the petitioner has been decided by respondent no.2 by order dated 31.10.2022, he had found some deficiencies. In fact, when deficiencies in respect of the documents are found, this Court in earlier occasions has categorically instructed the Education Officer that they shall not reject the proposals but, give an opportunity by calling upon the Management to produce the documents in respect of which the deficiencies are found. Still the directions of this Court are not adhered to.

3. Learned counsel for respondent nos.3 and 4, on instructions, makes a statement that fresh proposal would be send after removing the deficiencies those have been quoted in the impugned order dated 31.10.2022.

4. We are of the considered opinion that the order dated 31.10.2022 should be treated as intimation to respondent nos. 3 and 4 regarding deficiencies and thereupon respondent nos. 3 and 4 to file fresh proposal by removing those deficiencies or giving appropriate reasons for the said in the proposal. Such proposal should be sent to respondent no.2 within a period of six (6) weeks from today. After receipt of fresh proposal, respondent no.2 to decide the same, on its own merits within a period of Two (2) months thereafter. Decision so taken be informed to the respondent nos.3 and 4.

5. In view of these directions, the order dated 31.10.2022 is hereby quashed and set aside. Writ Petition thereby stands partly **allowed and disposed off**.

(S. G. CHAPALGAONKAR, J.) (SMT. VIBHA KANKANWADI, J.)

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aaa/-