



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

**WRIT PETITION NO. 6085 OF 2023**

**ANIL DHARMAJI KADAM**

**VERSUS**

**THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS**

...

Advocate for Petitioner : Mr. Gadhe Ganesh A

AGP for Respondents/State : Mrs. S.S. Joshi

Advocate for Respondents Nos. 4 & 5 : Mr. Fulfagar Anuj Ajay

...

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

**DATE : 28 AUGUST 2024**

**PER COURT :**

. Heard.

2. Petitioner's proposal seeking approval to his appointment came to be rejected by the respondent No. 2/Deputy Director of Education vide impugned order dated 21.09.2021 and communication dated 29.08.2022 only on the ground that the procedure as contemplated by the Government Resolution dated 23.06.2017 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 impugned order dated 21.09.2021 and communication dated 29.08.2022 and directing the respondent No. 2/Divisional Deputy Director of Education, Aurangabad 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 (04) weeks from today. However, same shall not be rejected on the grounds mentioned in the impugned order.

[ SHAILESH P. BRAHME, J.]

[ MANGESH S. PATIL, J.]

*Najeeb..*