

Writ Petition No. 7951 of 2022

Amit Dilip More ... Petitioner.
V/s.
The Education Officer (Secondary)
Zillha Parishad, Sangli & Others ... Respondents.

Mr. Sugandh Deshmukh i/b. Rajaram Deshmukh for the Petitioner.
Mr. S.B. Kalel, AGP for Respondent Nos. 1 & 2.

CORAM : NITIN JAMDAR, AND
M.M. SATHAYE, JJ.

DATE : 12 June 2024.

P.C. :

Heard learned counsel for the parties.

2. The Petitioner is working with Respondent Nos.3 & 4 Educational Institution (Management). Respondent No.3-Management submitted proposal to Respondent No.1-Education Officer (Secondary), Zilla Parishad, Sangli on 8 March 2018 for approval of the Petitioner's appointment as Junior Clerk which was rejected by the impugned order dated 31 March 2021 and 15 September 2021. The two grounds are given in the impugned orders for rejection. Firstly, reference is made to Government Resolution dated 7 March 2019 regarding staffing pattern and secondly, embargo on new appointments as per Government Resolution dated 4 May 2020 issued due to Covid pandemic period.

3. The learned counsel for the Petitioner states that Respondent-Management is supporting the cause of the Petitioner. Respondent-Management is served. None appears.

4. As regards the Government Resolution dated 4 May 2020 is concerned, it is an admitted position that the embargo on this Government Resolution no longer exists. The proposal of the Petitioner has also been rejected without giving any opportunity to the Respondent-Management.

5. In the light of this position, the impugned orders dated 31 March 2021 and 15 September 2021 are quashed and set aside and the proposal submitted by the Respondent-Management is restored to the file of the Education Officer (Secondary) Zilla Parishad, Sangli. Thereafter, the Education Officer will take necessary decision on its own merits within a period of eight weeks subject to earlier time bound commitments and urgent public duties. The Education Officer will apply the methodology laid down in the judgment and order of this Court in the case of *Nitin Bhika Tadge v/s. State of Maharashtra & Ors.*¹. The Petitioner will place the copy of this judgment and order before the concerned Education Authority for reference.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)

L.S. Panjwani, P.S.

¹ Civ WP No.204/2019 and connected petitions dt.16/4/24