

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(SR. NO. 25) WRIT PETITION NO. 4386 OF 2024

Somnath Krishna Tone & Anr. ...Petitioners
Versus
The State of Maharashtra and Anr. ...Respondents

AND

(SR. NO.32) WRIT PETITION NO. 5424 OF 2019

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Abhijit Paygonda Patil and Anr. ...Petitioners
Versus
Education Officer (Secondary) Zilla
Parishad, Sangli and Anr. ...Respondents

AND

(SR. NO. 37) WRIT PETITION NO. 8491 OF 2022

Ranjeet Bhivaji Gaikwad and Ors. ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

AND

(SR. NO. 38) WRIT PETITION NO. 8500 OF 2022

Tushar Shivaji Tavare and Ors. ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondent

AND

(SR. NO.52) WRIT PETITION NO. 8608 OF 2023

Nitin Balasaheb Chopade and Ors. ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

Writ Petition No. 4386/2024

Mr. S.A. Mane for the Petitioners.

Mr. S.B. Kalel, AGP for the Respondent Nos. 1 to 3/State.

Writ Petition No. 5424/2019

Mr. M.G.Bagkar h/f C.G. Patil for the Petitioners.

Mr. S.B. Kalel, AGP for the Respondent Nos. 1 and 2/State.

Writ Petition No. 8491/2022

Mr. Rahul Khot i/b Mr. N.Y. Chavan for the Petitioners.

Mr. K.S. Thorat, 'B' Panel Counsel for the Respondent Nos. 1 to 3/State.

Writ Petition No. 8500/2022

Mr. Rahul Khot i/b N.Y. Chavan for the Petitioners.

Mr. S.B. Kalel, AGP for the Respondent Nos. 1 to 3/State.

Writ Petition No. 8608/2023

Mr. Nagesh Chavan for the Petitioners.

Mrs. S.D. Vyas, Addl. GP a/w V.M. Mali, AGP for the Respondent/State.

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

DATE : 1 APRIL 2024

P.C. :

. Heard learned counsel for the parties. These petitions involve common argument about impugned orders and hence being disposed off by common order. Necessary details for passing common order are as below.

WP No.	Petitioner	Proposal for approval to	Impugned Order dated	Impugned Order passed by
4386/24	Somnath Krishna Tone	Appointment as Shikshan Sevak	11.11.2022	Respondent No. 4 Education Officer (Secondary), Zilla Parishad, Sangli
5424/19	Abhijit Paygonda Patil	Appointment as Shikshan Sevak	22.03.2018	Respondent No. 1 Education Officer (Secondary), Zilla Parishad, Sangli
8491/22	Ranjeet Bhivaji Gaikwad	Transfer from unaided to aided post	25.04.2022	Respondent No.3 Deputy Director of Education, Pune Division, Pune
8500/22	Tushar Shivaji Taware	Transfer from unaided to aided post	25.04.2022	Respondent No.3 Deputy Director of Education, Pune Division, Pune
8608/23	Nitin Balasaheb Chopade	Appointment as Peon	10.02.2023	Respondent No. 4 Education Officer (Secondary), Pune Zilla Parishad, Pune

2. Petitioners viz. employees and their respective managements/schools are jointly challenging the aforesaid respective impugned Orders under which, their respective proposals are rejected by the respective Respondent Education Officers.

3. It is submitted that the impugned orders are passed without any show cause notice and had an opportunity been given, the Petitioners would have given appropriate and necessary explanation to reasons stated in impugned order for rejecting proposals.

4. Perused the impugned Orders. They have resulted in a situation where inquiry about the grounds of rejection are required to

be done first time in this Court.

5. In that view of the matter, we dispose of these petitions by directing that the respective impugned orders will be treated as notices to respective Petitioners of the proposed ground/s for rejection of their respective proposals, which stand restored. If there are any other grounds on which the respective Respondent Education Officers intend to return or reject the proposals, they are directed to communicate the same to the respective Petitioners within a period of 3 weeks from today.

6. The Petitioners shall thereafter submit their explanation to the proposed grounds, along with supporting material including government resolutions, case laws / orders of this Court etc. if relied upon. The respective Respondent Education Officers are directed to decide the respective Petitioners' proposals thereafter within a period of 8 weeks, by dealing with the explanation given by the Educational Institutes as also dealing with case law/orders of this Court, by passing a reasoned order, subject to other time bound directions.

7. We have not expressed any opinion on the Petitioners' proposals and the same shall be decided on its own merits in accordance with law. Needless to mention that if the respective Respondent Education Officers proceed to grant proposals as prayed, consequent benefits and orders will follow, and in that case, the aforesaid procedure/directions will not apply.

8. The writ petitions are disposed of in the aforesaid terms.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)