

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8822 OF 2023

Shri. Swapnil Vasant Nagtilak ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary School Education And Sports
And Ors ...Respondents

WITH
WRIT PETITION NO. 8783 OF 2023

Vijay Subhash Chauriya ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary School Education And Sports
And OrsRespondents

WITH
WRIT PETITION NO. 8784 OF 2023

Ashish Subhash Jagtap ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary School Education And Sports
And Ors ...Respondents

WITH
WRIT PETITION NO. 7244 OF 2022

Shri. Sunil Dinkar Anuse ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary, School Education And
Sports Department And Ors ...Respondents

**WITH
WRIT PETITION NO. 13982 OF 2023**

Shri. Santosh Ramesh Misal ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary, School Education
Department And Sports Ors ...Respondents

**WITH
WRIT PETITION NO. 4982 OF 2023**

Shri. Prashant Sahadev Kadam ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary, School Education And
Sports Dept. And Ors ...Respondents

**WITH
WRIT PETITION NO. 9882 OF 2022**

Shri Pundlik Ananda Kharade ...Petitioner

Versus

The State Of Maharashtra Thr. the
Secretary, School Education And
Sports Dept. And Ors ...Respondents

Mr. Prashant Bhavake for the Petitioners.
Mr. V.M. Mali, AGP for the Respondent/State.

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

DATE : 11 JANUARY 2024

P.C.:

. Heard learned counsel for the parties. The table showing necessary details for passing common order, are as below.

Writ Petition No.	Name of the Petitioner	Working as	Impugned Order dated	Passed by Respondent Authority
8822/2023	Swapnil Vasant Nagtilak	Junior Clerk	28.11.2022	Resp. No. 4 Dy. Director of Education, Pune Region, Pune
8783/2023	Vijay Subhash Chauriya	Junior Clerk	14.12.2022	Resp. No. 4 Dy. Director of Education, Mumbai Region, Mumbai
8784/2023	Ashish Subhash Jagtap	Junior Clerk	14.12.2022	Resp. No. 4 Dy. Director of Education, Mumbai Region, Mumbai
7244/2022	Sunil Dinkar Anuse	Shikshan Sevak	18.04.2022	Resp. No. 4 Dy. Director of Education, Kolhapur Region, Kolhapur
13982/2023	Santosh Ramesh Misal	Peon	25.02.2021	Resp. No. 6 Superintendent of Pay and Provident Fund Unit, Raigad
4982/2023	Prashant Sahadev	Asst. Teacher	09.05.2022	Resp. No. 4 Dy. Director of

	Kadam			Education, Kolhapur Region, Kolhapur
9882/2022	Pundlik Ananda Kharade	Shikshan Sevak	29.04.2022	Resp. No. 4 Dy. Director of Education, Kolhapur Region, Kolhapur

2. Petitioners in these group of matters are working on various posts with their respective Respondent Managements. They are challenging various impugned Orders passed by Respondent Authorities, under which their proposal for entering names in *Shalarth ID* have been rejected. It is submitted by learned counsel for the Petitioners, on instructions, that their respective Respondent managements are supporting their cause till today, and we proceed on the basis of said statement.

3. It is submitted that, had an opportunity been given, the Petitioners alongwith their respective Respondent Managements would have given appropriate and necessary explanation about reason of rejection.

4. This method adopted by Education Officer of directly rejecting the proposals, without informing proposed grounds of rejection, is giving rise to unnecessary litigation which takes precious judicial

time of this Court because an 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 aforesaid impugned orders will be treated as notices to the respective Respondent / Educational Institutes of the proposed ground/s of rejection. The Petitioners' proposals stand restored. If there are any other grounds on which the respective Respondent Authorities intend to reject the proposals, they are directed to communicate the same to the respective Respondent Educational Institutes, within a period of 3 weeks from today.

6. The respective Respondent Educational Institutes shall thereafter submit their explanation to the proposed grounds of rejection, along with supporting material and case laws / orders of this Court, if relied upon. The respective Respondent Authorities are directed to decide the proposal thereafter within a period of 8 weeks, by dealing with the explanation/s 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 concerned Respondent Authorities proceed to grant proposal for Shalarth IDs, the aforesaid procedure/directions will not apply. The contention of

the Petitioners that once approval is granted, Shalarth ID cannot be rejected, is kept open.

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

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)