

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 17965 OF 2024

Shri Tushar Vasant Parab ... Petitioner
versus
The State of Maharashtra & Ors. ... Respondents

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Mr.Prashant Bhavake for the Petitioner.
Ms.N.M.Mehra, AGP for Respondent Nos. 1 to 5-State.
Mr.Utkarsh Desai for Respondent Nos. 6 and 7.

....

**CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.**

DATE : 11TH DECEMBER, 2024

P.C.:

1. On submission of the proposal for seeking approval to the appointment of the Petitioner, the Education Officer (Secondary), Zilla Parishad, Sindhudurg has pointed out eighteen deficiencies. However, on the one hand, the deficiencies are indicated with the object that the Management would cure the deficiencies. However, on the other hand, the proposal itself is rejected.

2. In catena of judgments, we have directed the Management to remove the deficiencies and an updated proposal to be tendered with a further direction to such Education Authorities that they should keep

such proposals pending with liberty to the Management to cure the deficiencies, rather than dismissing the proposals.

3. In view of the above, **this Writ Petition is disposed off** with the following directions :

- (a) The impugned order dated 21st October, 2022 shall not amount to the rejection of the proposal. The same shall be treated by the Management as a notice for removal of deficiencies;
- (b) The deficiencies shall be removed by the Management within a period of 45 days from today;
- (c) The updated proposal would once again be submitted to the Education Officer;
- (d) The Education Officer shall consider the proposal on its merits and decide the same by passing a reasoned order, within a period of 60 days from the date of receipt of the updated proposal.

4. Since eighteen deficiencies have been pointed out, we take it that the Education Officer has applied his mind and has pointed out all

the deficiencies. No further objections or deficiencies would be raised, save and except, with regards to curing of the deficiencies and the documents tendered along with the updated proposal.

5. If the proposal is rejected, the aggrieved party would be at liberty to avail of a remedy, as is permissible in law. If the proposal is favorably considered, the steps for allotment of the Shalarth ID would be initiated expeditiously.

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)