



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2697 OF 2023

Satish S/o Ishwar Bele & another

VS.

State of Maharashtra, through its Secretary, School Education and Sports
Department and others

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Ms. Smita Dashputre, Advocate for petitioners
Mr. N.S. Autkar, AGP for Respondent Nos.1 and 2

CORAM: AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ.

DATED : 13th FEBRUARY, 2024

The petition questions the order dated 24/04/2023, passed by the respondent No.2, whereby the approval to the appointment of the petitioner Nos.1 and 2 has been refused on the ground of a ban in terms of the Circular dated 01/12/2022. The circular dated 01/12/2022 to the extent it stays the operation of Rule 41-A of Maharashtra Employees of Private School (Conditions of Service) Rules, 1981, has been set aside for want of power in Writ Petition No. 8215/2022 (Friends Social Circle, Akola and others Vs State of Maharashtra) along with connected petitions, considering which, the impugned communication dated 24/4/2023, which rejects the approval on the

basis of circular dated 01/04/2021, cannot survive and is accordingly quashed and set aside.

2. The respondent No. 2 is directed to grant approval to the petitioners in case there is no other impediment in law. The petition is accordingly allowed in the above terms. The same shall be done within a period of two weeks from today. No costs.

(SMT. M.S.JAWALKAR J.)

(AVINASH G. GHAROTE, J.)