



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

911 WRIT PETITION NO. 5064 OF 2025

Dhiraj Kiran Dandime

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Mr. Panpatte V. S., Advocate for the Petitioner

Mr. V. M. Kagne, AGP for Respondents State

CORAM : MANGESH S. PATIL &
Y. G. KHOBRAGADE, JJ.

Dated : 22nd April, 2025

PER COURT :-

1. Heard. Issue notice to respondent nos. 1 to 3. Learned AGP waives service. At the joint request, the matter is disposed of finally today itself.

2. The petitioner was appointed as Shikshan Sevak on 08.02.2021 by respondent no.4 management in respondent no.5 school being run by it. He is aggrieved by the impugned communication dated 27.11.2024 (Exh. K), whereby respondent no.3/Education Officer (Secondary) has refused to grant approval to his appointment only on the ground that it is not in accordance with the modalities prescribed by Government Resolutions dated 23.06.2017 and 20.06.2018 (Through Pavitra Portal for visible to all teachers recruitment).

3. In several matters, this Court has consistently observed that the

Pavitra Portal was not in effective operation, albeit the policy was declared long back, till the year 2021 at least when the petitioner was appointed. The petitioner has annexed several such orders as under:

- (1) Order dated 10.06.2024 in writ petition no. 13150/2022, Shaikh Jawera Khadarsab Vs. The State of Maharashtra & ors.;
- (2) Order dated 09.10.2024 in writ petition no.11294/2024, Sanjay Dattaram Pandirwad Vs. State of Maharashtra & ors.;
- (3) Order dated 23.10.2024 in writ petition no.11910/2024, Jayshri d/o Sanjay Pati & another Vs. State of Maharashtra & ors.;
- (4) Order dated 24.10.2024 in writ petition no.10214/2024, Ashwini Vasant Mahajan & another Vs. State of Maharashtra & ors.;

4. In similar set of facts, this Court has relegated the proposal for fresh consideration by the Education Officer by disapproving the only reason assigned by the Education Officers for refusing to grant approval to the appointments as those were *de hors* the mechanism of Pavitra Portal.

5. Respondent no.3/Education officer could have considered the proposal on all fours but has instead chosen to refuse to grant approval only on the ground which is not legally sustainable.

6. In the light of above, the writ petition is allowed partly.

7. Impugned order is quashed and set aside. The matter is relegated to respondent no.3 Education Officer (Secondary), Zilla Parishad, Latur who shall consider the said proposal afresh on its own merit and take appropriate decision in accordance with law as expeditiously as possible and in any case within six weeks, however, without resorting to the ground which we have disapproved as mentioned herein above.

(Y. G. KHOBRAGADE, J.)

(MANGESH S. PATIL, J.)

JPCChavan