



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.4737 OF 2025

DIGAMBAR JANARDAN PATIL
VERSUS
THE STATE OF MAHARASHTRA THROUGH
THE SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Patil Nayana Parag
AGP for Respondents: Mr. Amar V. Lavte
Advocate for Respondents No.4 and 5 : Ms. Pronita Ingle

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR, JJ.

DATE : 09.04.2025

PER COURT:

The petitioner is aggrieved by the impugned communication dated 25.08.2021, whereby, the respondent No.3 – Education Officer (Secondary) has rejected the proposal for grant of approval to his appointment on the ground that his recruitment was after the Government Resolution dated 23.06.2017 and not by resorting to the Pavitra Portal mechanism.

2. Heard the learned advocate for the petitioner as also the learned AGP and learned advocate Ms. Ingle who *suo moto* appeared for respondents No.4 and 5.

3. In **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra and Ors.**; (Writ Petition No.13150/2022) by the order dated 10.06.2024

this Court had elaborately considered the inability of the State Government to operate the Pavitra Portal during the relevant time and has disapproved rejection of the approvals by the Education Officer only on the ground that the appointment was not done through the Pavitra Portal. This has been the consistent view of this Court in several matters prior to the decision in the **Shaikh Jaweria Khadarsab** (supra) and even thereafter.

4. In the light of above, the writ petition is allowed partly. The impugned order is quashed and set aside. The respondent No.3 – Education Officer (Secondary) shall reconsider the same proposal on its own merits and take a fresh decision within six weeks. However, he shall not either refuse to entertain or reject the proposal on the ground that petitioner was appointed de hors the Pavitra Portal mechanism.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)