



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 15380 OF 2019

VARSHA RAGHUNATH JAGTAP

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioner : Mr. Barlinge S.R.
AGP for Respondent Nos. 1 and 2 : Mr. R. K. Ingole
Advocate for Respondent No. 3 : Mr. A. B. Kharosekar h/f.
Mr. O. B. Boinwad

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

DATE : 11.03.2025

PER COURT :

. Heard both sides finally.

2. The petitioner is taking exception to the communication dated 19.09.2018 (**Exhibit – ‘D’**), whereby the respondent No. 2 – the Education Officer (Secondary) has refused to grant approval to the petitioner’s appointment as *‘Shikshan Sevak’* on the ground that she has been appointed after the Government Resolution dated 23.06.2017 evolving a process for undertaking the recruitment through a web portal has not been followed.

3. The parties are ad-idem that availability of the portal and undertaking the process of recruitment through it, did not crystalize in spite of the Government Resolution dated 23.06.2017, till the current process started in 2021. This court has been consistently observing that it was made operational only in the year 2021 and thereafter. In several such matters, this Court has disapproved the refusals to grant approval on the ground that the recruitment was not under the *Pavitra* Portal. Some orders have been placed on record, as follows:-

I. Nagesh Sopanrao Bangar V/s. The State of Maharashtra Through Its Secretary and Others; Writ Petition No.13726 of 2023, decided on 08.07.2024.

II. Bhushan Dashrath Patil and Another V/s. The State of Maharashtra Through Its Secretary and Others; Writ Petition No. 4623 of 2024, decided on 11.07.2024.

III. Varsha Chandar Rathod V/s. The State of Maharashtra and Others; Writ Petition No. 9259 of 2023, decided on 08.08.2024.

IV. Rohit Dnyaneshwar Salunke V/s. The State of Maharashtra and Another; Writ Petition No. 8286 of 2021, decided on 08.08.2024

4. In light of above, we allow the writ petition partly, quash and set aside the impugned communication and relegate the matter back to the Education Officer (Secondary) for taking a fresh decision on the same proposal for grant of approval on its own merits however, without rejecting it on the ground mentioned in the impugned communication dated 19.09.2018 (**Exhibit – ‘D’**). The decision shall be taken as expeditiously as possible, and in any case, within four (04) weeks.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

jhs/