

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

WRIT PETITION NO. 3811 OF 2024  
WITH  
CIVIL APPLICATION NO. 3810 OF 2025

ADITYA ASHOK KULKARNI

**VERSUS**

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND  
OTHERS

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Advocate for Applicant : Mr. Anant Amol Kakade

AGP for Respondent/State: Mr. S. B. Pulkundwar

Advocate for Respondent Nos. 3 & 4 : Mr. G. P. Darandale

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**CORAM : R. G. AVACHAT AND  
SANDIPUKUMAR C. MORE, JJ.**

**DATED : APRIL 23, 2025**

**ORDER:-**

1. Heard.
2. Approval to the appointment of the petitioner has been turned down by the Education Officer (Primary), Zilla Parishad, Jalna i.e. respondent No.2 for certain reasons. Now it is informed by the learned Advocate for the petitioner that, whatever the deficiencies noticed by the Education Officer, for his turning down proposal for approval have now been cured and fresh proposal has been submitted to the Education Officer. He would further submit that, the petitioner would be content if the Education Officer is directed to consider the petitioner's proposal afresh on its own merits.
3. The learned Advocate for the contesting respondents opposes

the prayer on the ground that the appointment of the petitioner was in violation of Section 5 of the Maharashtra Employees of Private Schools ( Conditions of Service) Regulation Act, 1977. The Education Officer has sought for permission to provide surplus teachers to the school concerned. The Advocate for contesting respondent No.2 further submits that, they have come to know from the authority concerned about abolition of the post on which the petitioner is already appointed.

4. We do not wish to observe anything on merits of the matter. The petition therefore, stands disposed of with direction to the Education Officer (Primary), Zilla Parishad, Jalna to reconsider the petitioner's proposal for approval to his appointment afresh after giving the petitioner and the management hearing. Needless to mention, the Education Officer shall decide the same on its own merits and even uninfluenced by this order. We expect that the Education Officer shall decide the same within reasonable time.

5. Pending Civil Application stands disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**

**(R. G. AVACHAT )**  
**JUDGE**

*Y.S. Kulkarni*