



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

947 WRIT PETITION NO. 5324 OF 2025

MAHATMA PHULE SHIKSHAN PRASARAK MANDAL THROUGH ITS
PRESIDENT AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Tripathi Manish Purushottam
AGP for Respondents: Mr. S.R. Wakale

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

DATE : 29.04.2025

PER COURT :

By the impugned order the Education Officer (Secondary) has refused to grant approval to the petitioner's appointment as a 'Shikshan Sevak' on a proposal forwarded by the respondent-headmaster, by the communication dated 01.04.2025, only on the ground that his appointment was not made through the *Pavitra Portal* pursuant to the government resolution dated 07.02.2019.

2. We have heard both the sides.

3. As is being demonstrated in several matters this Court has concluded that the *Pavitra Portal* was not in effective operation and has disapproved this ground of rejection of the proposal for grant of approval. Suffice for the purpose to refer to the decision in the matter of **Shaikh Jaweria Khadarsab Vs. The State of Maharashtra and others**, in Writ Petition No. 13150 of 2022 decided on 10.06.2024.

4. It was expected that the respondent no. 3-Education Officer ought to have considered the proposal on all counts and could not have simply

refused to grant approval by referring to the mode by which the petitioner was appointed. For failure of which, the only course available would be to remand the matter for reconsideration of the proposal.

5. The writ petition is allowed partly.
6. The impugned order/communication is quashed and set aside.
7. The respondent no. 3-Education Officer (Secondary) shall consider the proposal afresh, on its own merits, but shall not reject it on the grounds mentioned in the impugned communication.
8. The decision shall be taken as expeditiously as possible and in any case within six weeks.

(Y. G. KHOBRADE, J.)

(MANGESH S. PATIL, J.)

mkd/-