

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1689 OF 2025

Mr. Mohan Chandrakant Patil & Ors. ... Petitioners.
Versus
The State of Maharashtra & Ors. ... Respondents.

Mr. Utkarsh Desai, Advocate for the Petitioners.

Mr. V.G. Badgujar, AGP for Respondent Nos. 1 to 5/State.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 15th APRIL, 2025

P.C. :

1. This is one more case of Dr. Eknath Ambokar, Education Officer (Secondary), Zilla Parishad, Kolhapur, passing an order, which we have been deprecating for the last more than two years.

2. A proposal for granting approval to the appointment of a Junior Clerk dated 20th June, 2023, is rejected by the impugned order dated 28th February, 2024, by listing out various deficiencies in the proposal.

3. Time and again, we have been passing hundreds of orders setting aside such orders and directing the Education Officers that, when they list out the deficiencies in any proposal, an opportunity to remove the deficiencies should be granted to the Management, instead of listing out the deficiencies as a formality and rejecting the proposal.

4. In view of the above, **this Writ Petition is partly allowed.** The impugned order dated 28th February, 2024, is quashed and set aside.

5. The deficiencies listed out in the said order shall be treated as a notice to Petitioner No.2, Management. The said Management would work on the said deficiencies and tender a revised proposal, within 45 days from today, complete in all respects, abiding by the checklist issued by the State Government, vide Government Resolution dated 10th June, 2022. Thereafter, the Education Officer, Respondent No.5 shall carry out a meticulous verification exercise and after considering each and every document with regard to the appointment of Petitioner No.1, in the light of the revised proposal and the checklist, a reasoned order shall be passed within 45 days from the date of the submission of the revised proposal by the Petitioner.

6. If the Petitioner No. 1 or the Management is aggrieved by any adverse decision, they are at liberty to avail of a remedy, as is permissible in law. However, if the approval is granted to the appointment of Petitioner No.1, all other legal consequences and steps for allotment of the Shalarth-ID, would be initiated expeditiously.

7. On the point of costs, we notice that despite the above fact situation, Dr. Eknath Ambekar defends has conduct by filing an affidavit in reply dated 27th March, 2025 through Ajay Panditrao Patil, Deputy Education Officer(Secondary), Kolhapur Zilla Parishad, Kolhapur. Dr. Eknath Ambekar is already facing suo moto Contempt proceedings in this Court. So also, several orders have been passed imposing nominal costs upon him. Yet the Education Officer is unable to adopt a pragmatic stand. In these circumstances, we are increasing the costs to Rs. 5,000/- which shall be deposited by the Education Officer from his salary bank account in this Court, within 30 days from today. By recording the consent of the Petitioners, the said amount shall be donated to the following establishment:

The High Court Employees Medical Welfare Fund at Mumbai

Account No.: 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID0000001

8. Considering the repeated unsustainable orders being passed by the same officer, this time we direct the CEO, Zilla Parishad, Kolhapur to record the entry of this order into the service book of Dr Ambokar. We are avoiding initiation of Contempt proceedings on this occasion.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)