

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4989 OF 2023

Sou. Milan Shivaji Gorule

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

Mr. Prashant S. Bhavake for the Petitioner.

Mr. Siddheshwar B. Kalel, A.G.P for the Respondent Nos.1 to 5-State.

Mr. Utkarsh S. Desai for Respondent Nos.6 & 7.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : 8th October 2025.

P. C. :

1. Heard Mr. Bhavake, learned counsel for the Petitioner, Mr. Kalel, learned A.G.P for the Respondent Nos.1 to 5-State and Mr. Desai, learned counsel for the Respondent Nos.6 & 7.

2. We find that the impugned order dated 13th October 2022, which is at page 92 to the Petition, is passed without giving an opportunity to the Petitioner and the Respondent Nos.6 & 7 – Management, to cure the deficiencies.

3. In the facts and circumstances of the present case, the Respondent No.5 - Education Officer (Secondary) ought to have give an opportunity to the Respondent Nos.6 & 7 - Management to cure the deficiencies.

4. We accordingly direct that the impugned order be now treated as 'Show cause notice' and an opportunity be given to the Respondent Nos.6 & 7-Management to cure the deficiencies. The Respondent Nos.6 & 7 - Management is granted time of two weeks from today to cure the deficiencies and/or offer an explanation.

5. If there are further deficiencies, the Respondent No.5-Education Officer to intimate the same to the Respondent Nos.6 & 7 - Management and provide an opportunity to cure the same. The impugned order, which is now be treated as show cause notice be decided within a period of 10 weeks from today.

6. In case the approval to the appointment of the Petitioner is granted, the Respondent No.4 – Deputy Director is directed to enter the name of the Petitioner in Shalarth Pranali and issue Shalarth I.D. to the Petitioner and release the grant-in-aid towards payment of monthly salary / honorarium to the Petitioner since the date of her appointment with consequential benefits within a period of eight weeks from the date of grant of approval to the appointment of the Petitioner.

7. Petition is disposed of in above terms.

8. All contentions of both the parties are kept open.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]

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