

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

WRIT PETITION NO.12976 OF 2024

Dipak Vijay Rathod

.....Petitioner

Vs.

The State of Maharashtra and Ors.

....Respondents

Mr. Vinayak R. Kumbhar a/w Mr. Aniket Phapale i/b Prashant Bhavake for the Petitioner.

Ms. A. A. Purav, AGP for the State.

Mr. Sushant Khatake i/b Mr. Utkarsh Desai for Respondent Nos. 6 and 7.

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

DATE : 25th MARCH, 2025

P.C. :-

1. This is one more case wherein the Education Officer Secondary, Zilla Parishad Sindhudurg, has recorded 18 deficiencies in the proposal forwarded by the Management and yet, without granting an opportunity to remove the deficiencies, has rejected the proposal vide the Impugned order dated 13th November, 2023. We have set aside hundreds of such orders and we have also imposed costs in several matters.

2. The learned AGP submits on telephonic instructions, that the 18 deficiencies be treated as an intimation of the deficiencies to the Management and time will be granted to the Management to remove the deficiencies. The revised proposal would be decided within 30 days after receiving the same.

3. In view of the above statement, indicating that the Impugned order stands withdrawn, we record that the same stands set aside.

4. The 18 objections/deficiencies will be considered by the Management, Respondent Nos. 6 and 7 and a revised proposal, after removing the deficiencies, would be tendered to Respondent No.5 within 15 days, since the learned Advocate for the Management submits that the documents which are mentioned in the list of objections, are actually tendered to the Education Officer.

5. Needless to state, after the revised proposal is received, the Education Officer would follow the due procedure laid down in law and pass a reasoned order within a period 30 days thereafter.

6. In the event, the proposal is rejected, the aggrieved parties would be at liberty to avail of a remedy as is permissible in law.

7. If the proposal is accepted and the approval is granted, the Shalarth I.D. would also be granted expeditiously in order to commence the payment of salary.

8. **The Writ Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)