

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9922 OF 2025

Amol Dashrath Killedar.

...Petitioner.

Versus

The State of Maharashtra and Others.

...Respondents.

*Mr. Chetan G. Patil, Ms. Siddheshwari R. Chavan, Mr. Prathamesh P. Magadum
i/b Mr. V. S. Gadage for the Petitioner.*

Mr. R. P. Kadam, B Panel counsel for the Respondent-State.

**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : December 24, 2025.

Oral Order [Per M. S. Karnik, J.] :

1. Heard learned Counsel for the Petitioner and learned AGP.
2. As vacancy arose for the post of peon in Respondent No.5- school, an advertisement was issued in the daily newspaper on 5th June 2014. Petitioner applied in response to the said advertisement, for the said post. The school committee of Respondent No.4 found the Petitioner suitable and therefore appointed him on the post of peon vide order dated 9th June 2014 with effect from 10th June 2014. The proposal was sent to the Education Officer seeking approval to the appointment of Petitioner. However, Respondent No.3 rejected the said proposal by its order dated 20th December 2022. Pursuant to the

challenge made to the said order in Writ Petition No. 116 of 2024, the proposal was reconsidered by an order dated 16th February 2024. Respondent No.3 by order dated 16th February 2024 granted approval to the appointment of Petitioner on the post of peon w.e.f. 10th June 2014 to 9th June 2017. Thereafter, vide order dated 30th September 2024, Respondent No.3 granted approval to the appointment of Petitioner on permanent basis w.e.f. 10th June 2017. The proposal was submitted to the Respondent No.2 for entering the name of Petitioner in Shalarth Pranali and for issuing Shalarth ID to the Petitioner. The Respondent No.2 by order dated 18th September 2024 granted approval to enter the name of Petitioner in Shalarth Pranali, however, it is stated in the said order that the Petitioner would be entitled for payment of salary only from the date of granting of approval i.e., 16th February 2024.

3. Mr. Kadam, learned AGP argued in support of the impugned. It is submitted that the Deputy Director has correctly held that the Petitioner would be entitled for salary from the date of granting approval, ie., 16th February 2024.

4. We find that Respondent No.3 has granted approval to the appointment of Petitioner from the date of his appointment. Therefore, there is no justifiable reason as to why the grant in aid was made admissible for the payment of salary to the Petitioner only w.e.f.

16th February 2024. It is pertinent to note that another employee by name Vikas Pandit Patil had challenged a similar order of Respondent No.3 by filing Writ Petition No.12448 of 2025 in this Court. In the said writ petition, this Court by order dated 12th December 2025 allowed the said writ petition holding that if the approval is granted from the date of appointment of employee, the responsibility of salary grants from the date of appointment rests on the State Government. In such view of the matter, we see no logic in the reasoning adopted by the Respondent No.2 that the Petitioner would be entitled for payment of salary only from the date of granting of approval, i.e., 16th February 2024. Petition is therefore allowed in terms of prayer clause (a), which reads thus :

“(a) That this Hon'ble Court may be pleased to issue an appropriate writ, order or direction in the nature of writ, thereby quashing and setting aside the Order passed by Respondent No. 2 herein dated 18th September 2024 to the extent that it holds that the salary would be paid to the Petitioner with effect from the date on which approval is granted i.e. 16-02-2024 and further be pleased to direct the respondents no.1 to 3 herein to release grant in aid for the payment of honorarium/salary to the petitioner with effect from the date of the appointment of the petitioner i.e. 10th June 2014 with all consequential benefits.”

5. Writ petition stands disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]