

Shailaja

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

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.14820 OF 2024

Sandeep Baburao Takkekar	]	Petitioner
versus		
The State of Maharashtra, Through the	]	
Secretary, School Education & Sports	]	
Department, Mantralaya, Mumbai and others	]	Respondents

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Mr. Prashant Bhavake, for Petitioner.

Ms. T.J. Kapre, A.G.P, for Respondent – State.

Mr. Utkarsh Desai and Mr. Satyajeeet Rajeshirke a/w Mr. Gautam Kulkarni, for Respondents No.6 and 7.

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CORAM : M.S. KARNIK &
SHARMILA U. DESHMUKH, JJ

DATE : 11th SEPTEMBER, 2025.

ORAL ORDER: [PER M.S. KARNIK, J.]:

1. Heard Mr. Bhavake, learned Counsel for the Petitioner, Ms. Kapre, learned A.G.P, for Respondent – State, Mr. Rajeshirke, learned Counsel for Respondents No.6 and 7.

2. The impugned order “**Exhibit G**” is dated 14th march, 2024. The proposal made for approval of appointment of Petitioner as “Junior Clerk” was

rejected by the impugned order. The reasons for rejection of the proposal have been stated in the impugned order. However, Management was not given an opportunity of curing deficiencies in the proposal.

3. Learned A.G.P made an attempt to justify the impugned order.

4. Mr. Rajeshirke, learned Counsel for Respondents No.6 and 7 (Management) opposes the Petition. He submits that the Management has not made any appointment nor sent a proposal to the Education Officer for approval to the appointment of the Petitioner and hence, there is no question of considering the impugned order as a “Show Cause Notice”.

5. In any case, the Education Officer has passed the impugned order on the proposal which was considered as submitted. It is open for the Respondents No.6 and 7 – Management to appear before the Education Officer along with the Petitioner when the Management may also bring its stand to the notice of Education Officer. The Education Officer after considering the stand taken by the Management may pass appropriate orders on such Show Cause Notice.

6. Any other faction of the Management may also appear and contest or support the Show Cause Notice. It is for the Education officer to pass appropriate orders.

7. We find that no opportunity was given to the Management to cure deficiencies. In such view of the matter, we are of the opinion that the impugned order dated 14th March, 2024 at page 57 of the Paper Book should be treated as “Show Cause Notice” to the Management. The Management to cure the deficiencies within a period of four weeks from today. If there are any further deficiencies, Education Officer to inform the Management within a period of six weeks from today. Management to cure further deficiencies within a period of four weeks from the date of intimation. Show Cause Notice be decided within a period of sixteen weeks from today.

8. The Petition is disposed of. No order as to costs.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]