

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

(SR.NO.46) WRIT PETITION.5656 OF 2024

Hude Devendra MallikarjunPetitioner

Vs.

The State of MaharashtraRespondent

WITH

(SR.NO.59) WRIT PETITION NO.11024 OF 2024

The Head MasterPetitioner

Vs.

The State of Maharashtra and Ors.Respondents

Mr. Gajanan Savagave for the Petitioner in WP/5656/2024.

Mr. Bhairavnath Jadhav for the Petitioner in WP/11024/2024 and for Respondent No.6 in WP/5656/2024.

Mr. S. P. Kamble, AGP for the State in WP/11024/2024.

Mr. V. M. Mali, AGP for the State in WP/5656/2024.

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

DATE : 10th FEBRUARY, 2025

P.C. :-

1. This is yet one more case wherein, the Deputy Director of Education, Pune, division Pune, Mr. Audumber Ukirde, has once again passed an order refusing Shalarth I.D., when the approval to the appointments of the Petitioners is intact. He took upon himself

to interfere in the approvals which was not questioned and by quashing the approvals without authority, he has refused Shalarth I.D. to the Petitioners.

2. The law on this point has been settled vide judgment dated 10th July, 2017 delivered by this Court [Coram: B. R. Gavai, (as his Lordship then was) and Riyaz I. Chagla, JJ.], in Writ Petition No.8587 of 2016 and connected matters, (*Smt. Munoli Rajashi Karabasappa Vs. State of Maharashtra and Ors.*). In another group of matters, this Court [Coram: B. R. Gavai, (as his Lordship then was) and Riyaz I. Chagla, JJ.], delivered an order on 1st August, 2017 in Writ Petition No.10133 of 2016 and group of cases (*Mrs. Shivaneesh Prasanna Deshpande Vs. State of Maharashtra and Ors.*). Yet another judgment was delivered by this Court [Nitin Jamdar (as his Lordship then was) and Amit B. Borkar JJ.], on 21st January, 2022 in Writ Petition No.8881 of 2021 and group of cases (*Abhijit Ashok Waje Vs. The State of Maharashtra, and Ors.*).

3. We are also informed that few of the orders passed by the same Deputy Director of Education have been set aside by this Court.

4. In view of the above, **Writ No.5656 of 2024 is allowed.**

The order dated 9th March, 2023 passed by Respondent No.4 is quashed and set aside. The approval granted to the Petitioners is restored. We direct Respondent No.4 to issue the Shalarth ID within 15 days from today.

5. All consequential and incidental benefits including monetary benefits, would be available to the Petitioners. The Management shall follow the settled procedure for submitting the bills for the arrears of payments. Let such arrears be calculated by the Competent Authority by following the due procedure laid down in law and the same be paid to the Petitioners within a period 60 days from today.

6. Considering the above, **Writ Petition No.11024 of 2024** filed by the Management of the Petitioner, seeking the same relief, **also stands disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)