

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

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 15878 OF 2024

Nilam Vilas Sawant @ Nilam Omkar Kadam ... Petitioner

Versus

The State Of Maharashtra And Ors ... Respondents

Mr. Satyajeet A Rajeshirke for the Petitioner.
Ms. T. J. Kapre AGP for the Respondent-State.
Mr. Gautam R Kulkarni for the Respondent Nos. 4 and 5.

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

Date : September 29, 2025.

ORDER (Per Sharmila U. Deshmukh, J.) :

1. The challenge in the present Petition is to the order dated 30th September, 2022 passed by the Respondent No. 3 rejecting the proposal of approval for appointment of Petitioner on un-aided post of Shikshan Sevak for the period 15th June, 2011 to 14th June, 2014 in Respondent No. 5-School.
2. Mr. Rajeshirke, learned Counsel for the Petitioner submits that one of the grounds for which approval came to be rejected was that the

Petitioner has not cleared TET examination. He submits that subsequently the Petitioner has obtained the TET certificate though after the cut-off date. He submits that the proposal came to be rejected without granting an opportunity to point out the various facts to the Respondent No. 3.

3. Perusal of the order dated 30th September, 2022, discloses that the proposal came to be rejected in view of the deficiencies listed in the said order. Admittedly there was no opportunity which was given to the Petitioner/ Respondent Nos. 4 and 5 to cure deficiency or submit any explanation.

4. In light of the same, the Petition can be disposed of directing the impugned order to be treated as show cause notice. The Petitioner/ Management to submit necessary explanation and cure the deficiencies listed in the impugned order within a period of three weeks from today. If there are any further deficiencies, the Respondent No. 3 to communicate the same to the Management. The entire exercise to be conducted within a period of eight weeks from today.

5. Writ Petition is disposed of in the above terms.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]

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