

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

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 14038 OF 2023

Prakash Pandurang Patil

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

Mr. Prashant S. Bhavake for the Petitioner.

Mr. Vikas M. Mali, A.G.P. for the Respondent Nos.1 to 5-State.

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

Date : 8th October 2025.

P. C. :

- 1.** Heard learned counsel for the Petitioner and learned A.G.P. for the Respondents-State.
- 2.** It is submitted by learned A.G.P. that the impugned Order dated 25th April 2023 records valid reasons for rejection of the approval to the Petitioner's appointment. We, however, find that the impugned order was passed without giving any opportunity to the Petitioner and/or the Respondent Nos.6 & 7 - Management to cure the deficiencies mentioned therein and the same is in breach of principles of natural justice.
- 3.** The impugned order is accordingly directed to be treated as 'Show

cause notice' to the Petitioner and the Respondent Nos.6 & 7. The Petitioner and Respondent Nos.6 & 7 to appear before the Respondent No.5 – The Education Officer (Secondary), Zilla Parishad, Kolhapur on 16th October 2025 at 11:00 a.m..

4. The Respondent Nos.6 & 7 to file their response to the show cause notice and after hearing the Respondent Nos.6 & 7, the Respondent No.5 – the Education Officer (Secondary) to pass a reasoned order within a period of eight weeks from 16th October 2025.

5. If there are any further deficiencies noticed in the proposal, an opportunity be given to the Respondent Nos. 6 & 7 - Management to cure the same.

6. In case the approval to the appointment of the Petitioner is granted, the Respondent No. 4 – Deputy Director is directed to enter the name of the Petitioner in Shalarth Pranali and issue Shalarth I.D. to the Petitioner and release the grant-in-aid towards payment of monthly salary / honorarium to the Petitioner since the date of his appointment with consequential benefits within a period of eight weeks from the date of grant of approval to the appointment of the Petitioner.

7. Petition is disposed of in above terms.

8. All contentions of both the parties are kept open.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]