

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

WRIT PETITION NO. 8861 OF 2024

Bhosle Mahadev Balasaheb.

...Petitioner.

Versus

Education Officer, (Secondary)
ZP Solapur and Others.

...Respondents.

Mr. I. M. Khairdi for the Petitioner.

Mr. V. M. Mali, AGP for the Respondent-State.

Mr. Ajit V. Alange for the Respondent No. 5.

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

Date : December 15, 2025.

P. C. :

1. We have heard learned Counsel for the Petitioner and learned AGP for the Respondent Nos.1 to 4.
2. The only ground on which the proposal for grant of approval to the appointment of Petitioner is rejected is not sustainable in view of the decision of this Court at Nagpur Bench in Writ Petition No.8215 of 2022 (***Friends Social Circle, Akola vs. State of Maharashtra***) decided on 21st July 2023. The Nagpur Bench of this Court in operative portion of the said decision at paragraph 13(i) and (ii) held thus :

"13. In the light of aforesaid discussion, the following order is passed :

(i) The Circular dated 01/12/2022 to the extent it stays the operation of Rule 41A of the Rules of 1981 is set aside for want of power with the respondent No.1 to do so.

(ii) Rest of the Circular dated 01/12/2022 insofar as it seeks to stay the operation of Government Resolution dated 01/04/2021 and also seeks to undertake a fresh exercise in the matter is not interfered with. The respondent No.1 is free to act in accordance with the Circular dated 01/12/2022 except to the extent specified herein above."

3. This is the sole reason why the proposal for grant of approval is rejected which is covered by the aforesaid decision. Therefore, this petition is allowed in terms of prayer clause (B), which reads thus :

"(B) After perusing the legality, validity and propriety of the impugned order dated 21/07/2023, this Hon'ble Court be pleased to issue writ of certiorari and/or any other writ, order and direction in the nature of certiorari and be pleased to quashed and set aside the same and be further pleased to grant an approval to the proposal dated 28/06/2023 and 30/06/2023."

4. The Deputy Director of Education is directed to include the name of petitioner in Shalarth Pranali expeditiously.

5. Writ Petition stands disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]