

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

CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO. 12054 OF 2025**

Yogesh Mahadeo Patil

... Petitioner

**Versus**

The State of Maharashtra & Ors.

... Respondents

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*Mr. Utkarsh Desai i/b. Mr. Prashant Bhavake for the Petitioner.  
Mrs. S.N. Deshmukh, A.G.P. for the Respondent-State.  
Mr. Kedar Lad for the Respondent No.5.*

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

**Date :** 24<sup>th</sup> December 2025.

**P. C. :**

1. We have heard learned counsel for the Petitioner.
2. We request Advocate Mr. Kedar Lad to appear on behalf of the Zilla Parishad, Kolhapur, i.e. the Respondent No.5 herein. The engagement of Mr. Lad be regularized. Mr. Lad requested for some time to take instructions, however learned counsel for the Petitioner invited our attention to the copy of the impugned Order dated 11<sup>th</sup> October 2024, which is at page No.64 of the paperbook. We found from the impugned

Order that the same has been passed on the ground that there are several deficiencies in the proposal.

**3.** Learned counsel for the Petitioner submitted that no opportunity was given to the Petitioner to explain / cure the deficiencies.

**4.** We are of the opinion that an opportunity ought to be afforded to the Management to explain and/or cure the deficiencies. The proposal is to be rejected outright on the ground of such deficiencies.

**5.** Accordingly, the impugned Order dated 11<sup>th</sup> October 2024 is quashed and set-aside. The impugned Order be treated as a Show-Cause-Notice to the Petitioner and the Management. The Management to submit a proposal explaining and/or rectifying the deficiencies mentioned in the Order dated 11<sup>th</sup> October 2024 within two weeks from the date of communication of this Order. After the receipt of such proposal, within a period of 12 weeks therefrom the Education Officer to decide the proposal on its own merits and in accordance with law.

**6.** If the approval is granted to the appointment of the Petitioner as Assistant Teacher, the name of the Petitioner be included in the Shalarth I.D. by the Deputy Director of Education expeditiously.

**7.** Petition is disposed of in above terms.

[ Ajit B. Kadethankar, J. ]

[ M. S. Karnik, J. ]