

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

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 12276 OF 2025

Dipali Shivaji Hajare

... Petitioner

Versus

The State of Maharashtra And Ors.

... Respondents

Mr. Prashant Bhavake for the Petitioner.

Ms. T. J. Kapre, AGP for the Respondent-State.

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

Date : November 25, 2025.

ORAL JUDGMENT (PER: M. S. KARNIK, J.)

1. The Petitioner by this Petition prays for substantive relief in terms of prayer clause (b) which reads thus:

“b] By a suitable Writ, Order or direction, this Hon’ble Court be pleased to direct the Respondent No. 4-Deputy Director to issue appropriate order within two weeks thereby allot Shalarth ID to the Petitioner and grant permission to the Respondent No. 5-Education Officer to include the name of the Petitioner in Shalarth Pranali for online payment of his salary and accordingly be pleased to further direct the Respondents to release entire arrears of Petitioner’s salary within the further period of four weeks or any other period which this Hon’ble Court may deem fit and proper;”

2. The brief facts of the case are as follows:

3.1 The Petitioner is qualified with a B.Sc. and B.Ed. degree. After following the due selection process, Respondent No. 6-Educational Institution appointed the Petitioner to a clear, vacant, and unaided post of Assistant Teacher at the English High School, Mangalwedha, by an order dated 15th June 2018. The said school is administered and run by Respondent No. 6.

3. The Respondent No. 5-the Education Officer by order dated 8th October 2020, granted individual approval to the Petitioner's appointment to the unaided post of Assistant Teacher. Subsequently, due to the demise of Shri V. M. Kshirsagar, who was serving as an Assistant Teacher on a fully aided post, the said aided post fell vacant with effect from 22nd September 2020.

4. The Respondent No. 6-Educational Institution after following the due process, passed a resolution in its meeting dated 28th October 2020, resolving to transfer the Petitioner to the aided vacant post of Assistant Teacher at Respondent No. 7-Secondary School. Accordingly, by order dated 2nd November 2020, the Respondent No. 6 transferred the Petitioner from the unaided post of Assistant Teacher to the said aided post at Respondent No. 7-Secondary School with effect from 2nd November 2020. Thereafter, Respondent No. 5-the Education Officer by order dated 10th November 2022, duly approved the Petitioner's transfer from the unaided to the aided post of Assistant Teacher.

5. The Head Master of Respondent No. 7-Secondary School submitted a proposal dated 26th March 2025 to Respondent No. 5-the Education Officer for inclusion of the Petitioner's name in the *Shalarth Pranali* by allotting a Shalarth ID. The Respondent No. 5, through his recommendation dated 27th March 2025, forwarded the said proposal to the office of Respondent No. 4-the Deputy Director of Education. However, the Respondent No. 4 has not taken any decision on the proposal and has kept it pending.

6. Ms. Kapre, learned AGP, vehemently opposed the Petition. According to the learned AGP, appointments were required to be made through the *Pavitra Portal*. She submitted that, as per the Government Resolution dated 20th June 2018, the Pavitra Portal was applicable to unaided posts; however, insofar as aided posts are concerned, the portal became applicable with effect from 23rd June 2017. It is the contention of the learned AGP that since the Petitioner's appointment to the aided vacant post was made after the issuance of the Government Resolution dated 23rd June 2017, mandating recruitment through the Pavitra Portal, there is no question of granting approval to the Petitioner's appointment to the aided post.

7. We have heard learned Counsel for the parties.

8. The proposal seeking grant of a Shalarth ID is presently pending consideration before Respondent No. 4. Ordinarily, we would have

directed Respondent No. 4 to take an appropriate decision on the said proposal. However, in the present case, for the reasons stated hereafter, we do not propose to adopt such a course.

9. This is not a case where the appointment of the Petitioner, either to the unaided post or to the aided post, remained unapproved by the Education Officer. The Education Officer had duly approved the Petitioner's appointment to the unaided post. Thereafter, upon a clear vacancy arising in the aided post of Assistant Teacher, the Management transferred the Petitioner to the said aided post. A proposal seeking approval of the Petitioner's appointment on the aided post was submitted to the Education Officer, and the same was duly accepted and approved on 10th November 2022. Additionally, the Education Officer also recommended inclusion of the Petitioner's name in the *Shalarth Pranali* by forwarding the request for issuance of a Shalarth ID to Respondent No. 4-the Deputy Director of Education. Once the Education Officer had approved the Petitioner's appointment, it was not open for the Deputy Director to sit in judgment over or disregard the said approval. The only consequential step, following the approval of the Petitioner's appointment to the aided post, was issuance of the Shalarth ID.

10. We therefore have no hesitation in allowing this Petition in terms of prayer clause (b). In light of the above, we pass the following order:

::ORDER::

- a]** Writ Petition is allowed in terms of prayer clause (b).
- b]** We accordingly direct the Deputy Director of Education to issue the Shalarth ID as expeditiously as possible, and in any case within a period of eight weeks from the date of communication of this order.
- c]** It is always open to the concerned authorities to revisit or reconsider the order granting approval to the Petitioner's appointment, as issued by the Education Officer, in accordance with law.

TALLE
SHUBHAM
ASHOKRAO

Digitally signed by
TALLE SHUBHAM
ASHOKRAO
Date: 2025.11.27
20:44:48 +0530

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]