

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

WRIT PETITION NO. 12483 OF 2025

UDAY
SHIVAJI
JAGTAP

Digitally
signed by
UDAY
SHIVAJI
JAGTAP
Date:
2025.12.23
10:10:58
+0530

Rajaram Mahadev Sangave

... Petitioner

Versus

The State of Maharashtra & Ors.

... Respondents

**ALONG WITH
WRIT PETITION NO. 12484 OF 2025**

Amol Suresh Mali

... Petitioner

Versus

The State of Maharashtra & 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 : December 19, 2025.

P. C. :

1. Heard learned counsel for the petitioner and learned AGP for the respondent – State. The petitions are disposed by a common order as issues involved are common.

2. The petitioner is seeking directions to the respondent No.4 – Deputy Director of Education to forthwith issue appropriate orders to

allot Shalarth ID to the petitioner and also grant permission to Respondent No.5 - Education Officer to include the name of petitioner in Shalarth Pranali for online payment of salary. The appointment of the petitioner is already approved. By following due process, the respondent No.6 – Management appointed the petitioner in the post of Peon w.e.f. 15th March 2014 at the respondent No.7 – School. The respondent No.5 – Education Officer vide order dated 21st May 2025 granted individual approval to the appointment of the petitioner. The Headmaster of the respondent No.7 – School submitted the proposal dated 21st May 2025 seeking Shalarth ID to the petitioner. The respondent No.5 – Education Officer vide recommendation letter dated 23rd May 2025 forwarded the said proposal to the respondent No.4 – Deputy Director of Education on 26th May 2025. Till date, the respondent No.4 - Deputy Director has not granted Shalarth ID to the petitioner. Hence, the present petition is filed for seeking directions to the respondent No.4 to grant Shalarth ID to the petitioner.

3. Learned AGP, while opposing the petition submitted that the Deputy Director of Education be directed to consider the proposal for grant of Shalarth ID expeditiously.

4. Once the Education Officer has approved the appointment, the

Deputy Director should have granted Shalarth ID to the petitioner. To support the view, we refer to recent judgment and order dated 21st November 2025 passed by this Court in the case of ***Saniya Shahrukh Shaikh & Ors. Vs. The State of Maharashtra & Ors.*** bearing Civil Writ Petition No.12195 of 2025, wherein upon recording various judgments and orders passed by this Court we have observed as follows:

"7.15 From the discussion above and for the reasons recorded, we hold that,

(i) The ban on appointments imposed vide G.R. dated 04/05-05- 2020 could not prevent the present school management i.e. Minority Educational Institutions from appointing the Petitioner No.1.

(ii) Once approval is granted by the Education Officer (Secondary), Zilla Parishad, the Deputy Director of Education neither can refuse nor can merely sit over the proposal to include the name of the concerned employee in the Shalarth System. Rather the Deputy Director of Education is under mandate to issue Shalarth Identity to such employee and to include such employee's name in the Shalarth system. Needless to mention, this being in the nature of an administrative job, the Deputy Director of Education must immediately complete the said exercise of granting Shalarth Identity to the concerned employee. Refusal or inaction, as the case may be, on the part of the Deputy Director of Education not only results into deprivation of concerned employee's legitimate right of salary/honorarium, but also causes

unnecessary court litigation.

(iii) Deputy Director of Education doesn't sit in appeal over the approval granted by the Education Officer (Secondary), Zilla Parishad while granting Shalarth Identity under GR dated 07-11-2012 r/w GR dated 20-03-2019. However, it's not that the approvals granted by the Education Officers (Secondary), Zilla Parishads cannot be subjected to review at all. Review of an approval is permissible within the four corners of law, the procedure contemplated, and in the peculiar facts of the cases e.g. if the approval was obtained by fraud or misrepresentation etc."

5. No purpose will be served by directing the Deputy Director to decide the proposal in view of the above observations and no contra material is placed on record. We are therefore of the opinion that once the Education Officer has approved the appointment of the petitioner, the petitioner who is working as a Peon, is entitled to the benefits of the salary and salary arrears, which are required to be paid to the petitioner.

6. Both the petitions are, therefore, allowed. The Shalarth ID be granted to the petitioner and name of the petitioner be included in the Shalarth Pranali as expeditiously as possible and in any case within a period of six weeks from the date of communication of this order.

7. The Writ Petitions are disposed of.

[Ajit B. Kadethankar, J.]

[M. S. Karnik]