

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

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 18500 OF 2024

Bhagyashri Aniruddha Ardalkar & Ors. ... Petitioners

Versus

The State of Maharashtra & Ors. ... Respondents

*Mr. Chetan G. Patil a/w. Mr. Prathamesh P Magadum & Ms. Siddheshwari
R. Chavan i/b. Mr. Mandar G. Bagkar for the Petitioner.
Mr. A.P Vanarse, A.G.P for the Respondents-State.*

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

Date : 24th November 2025.

P. C. :

1. Heard learned counsel for the parties.
2. Learned A.G.P argued in support of the impugned order.
3. However, we find that, while rejecting the proposal for individual approval to the appointment of Petitioner No.1 as Shikshan Sevak, no opportunity was given to the Petitioners to explain, rectify, or cure the deficiencies mentioned in the impugned order. It is submitted by the

learned counsel for the Petitioners that the Petitioner No.2 being a Minority Institution, the rejection of the proposal on the grounds mentioned in the order is unjustified. There are other grounds on which the proposal is rejected, which according to him, are hyper-technical in nature.

4. Further, it is submitted that the Petitioners may be given an opportunity to place on record the copy of the advertisement and all other documents necessary to explain the deficiencies. The impugned order is set aside.

5. The impugned order dated 9th November 2022 be regarded as 'Show Cause Notice', to enable the Petitioners to explain / rectify / cure the deficiencies. The Petitioners to remain present before the Respondent No.3-Education Officer along with copy of this order on 4th December 2025, at 11:00 a.m.. The explanations and/or the deficiencies be cured within a period of two weeks from today by the Petitioners.

6. The Respondent No.3-Education Officer is requested to decide the proposal for individual approval to the appointment of the Petitioner No.1 as Shikshan Sevak on its own merits and in accordance with law, after considering the reply / explanation to the show cause notice as early as possible and in any case, within a period of twelve weeks from 4th December 2025.

7. In case, the approval is granted, Shalarth I.D. be issued to the Petitioner No.1 expeditiously.

8. Petition is disposed of in aforesaid terms.

[Ajit B. Kadethankar, J.]

[M. S. Karnik, J.]

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