

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

WRIT PETITION NO. 155 OF 2025

Sachin Shamrao Patil. ... Petitioner.
Versus
State of Maharashtra & Ors. ... Respondents.

Mr. Mandar G. Bagkar, for the Petitioner.
Mr. V.G. Badgujar, AGP, for Respondent Nos. 1, 2 & 5/State.
Mr. Bhushan Jadhav, for Respondent Nos. 3 & 4.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 1st APRIL, 2025

P.C. :

1. Once again, the same Education Officer (Secondary), Zilla Parishad, Kolhapur, Dr. Eknath Ambokar, has passed the same type of order, which we have set aside in hundreds of matters and in the recent past, have started imposing costs.

2. After pointing out 9 deficiencies on the proposal seeking approval, the said Education Officer has passed an order on 27.9.2024 rejecting the proposal on the same ground of delay, when in fact he had called for an explanation from the Management on the point of delay. At times we are unable to comprehend as to what is passing on in the mind

of said Education Officer when he keeps on passing such type of orders.

3. In the light of the above, we have heard the learned Advocates for the respective sides.

4. This **Petition is partly allowed**. The impugned order dated 27.9.2024, which is passed without granting any opportunity of hearing and without allowing the Management to submit its explanation, is quashed and set aside. We are issuing the following directions in order to meet the ends of justice:

(a) The deficiencies pointed out by the Education Officer in the impugned order, shall be treated by the Management as a notice for removal of the deficiencies.

(b) The Management shall remove the deficiencies within 45 days from today.

(c) After the Education Officer receives the revised proposal, without raising any new deficiencies apart from those which are already raised/pointed out, he shall decide the proposal on its own merits strictly in accordance with the Rules, Regulations and the Policies applicable.

(d) Let such decision be arrived at within 30 days from the date of submission of the revised proposal.

- (e) The aggrieved party is at liberty to avail of the remedy as is permissible in law.
- (f) All contentions are kept open.
- (g) We make it clear that we have not expressed any view or opinion on the merits of the claim.
- (h) Cost of Rs. 2,500/- is imposed on the Education Officer Dr. Eknath Ambokar, who shall deposit the said amount in this Court within 30 days from today. The said amount, with the consent of the Petitioner, shall be transferred by the Registry of this Court as donation to the following establishment :

The High Court Employees Medical Welfare Fund at Mumbai
Account No.: 000120110001337
Bank : Bank of India
Branch : Mumbai Main
IFSC Code : BKID0000001

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)