

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.571 OF 2025**

Sunita Prakash Patil

...Petitioner

versus

The State of Maharashtra and Ors.

...Respondents

Mr. Datta H. Pawar for the Petitioner.

Mr. S. H. Yadav, AGP for the State.

**CORAM : M.S. KARNIK &
SHARMILA U. DESHMUKH, JJ.**

DATE : 8th SEPTEMBER, 2025.

ORAL ORDER (Per Sharmila U. Deshmukh, J.):

1. The petition impugns the order dated 23rd October, 2023 passed by the Respondent No.3 rejecting the Petitioner's proposal seeking approval to the appointment as Shikshan Sevak with Respondent No.5-School. On 28th October, 2022, the Petitioner participated in the selection process and was selected for the post of Shikshan Sevak in the Respondent No.5-School and joined the services on 14th November, 2022. On 10th October, 2023, the Respondent Nos. 4 and 5 submitted a proposal for approval to the Respondent No.3 which was rejected by the impugned order dated 23rd October, 2023.

2. Learned Counsel appearing for the Petitioner submits that the deficiencies which are listed in the impugned order dated 23rd October, 2023 constituted grounds for rejection of proposal without affording an

opportunity to the Petitioner/ Respondent No.4 and 5 to submit an explanation and/or cure the deficiencies.

3. Learned AGP would support the impugned order and submit that in view of the deficiencies listed in the impugned order, the proposal was rightly rejected by the Respondent No.3.

4. We find from the perusal of the impugned order dated 23rd October, 2023, that the proposal came to be rejected by citing the deficiencies without giving opportunity to Petitioner/ Respondent Nos. 4 and 5 Management to submit an explanation / documents and cure the deficiencies stated therein.

5. In light of the same, as there was no opportunity given to the Petitioner/ Respondent Nos. 4 and 5 Management, the order of 23rd October, 2023 be treated as a show cause notice to the Petitioner/ Respondent Nos. 4 and 5-Management. Let the necessary explanation be submitted by the Management within the period of two weeks from the date of this order.

6. Upon the receipt of the explanation, the Respondent No.3 to decide the proposal afresh by taking into consideration the explanation submitted by the Respondent-Management, expeditiously and in any event within the period of eight weeks thereafter.

7. The Writ Petition is disposed off in the above said terms.

[SHARMILA U. DESHMUKH, J.]

[M.S. KARNIK, J.]