

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

WRIT PETITION NO. 590 OF 2024

Hemali Janardan Desale & Anr. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Vinayak Kumbhar a/w Mr. Rajendra Khaire i/by Ms. Ashwini Bandiwadekar, Advocate for the Petitioners.

Mr. V.M. Mali, AGP for the Respondent/State.

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

DATE : 5th FEBRUARY, 2025

P.C. :-

1. This is yet, one more such case wherein Shalarth-ID has been refused to Petitioner No.1, though his appointment and service has been approved, only for the reason that the Sub-ordinate Officer of the Deputy Director of Education did not place the original approval order, before him.

2. In such identical matters, we have set aside the orders with the observations that it is the Senior Officer, who has to ensure

that the original approval order is placed before him, while considering the proposal for grant of Shalarth-ID and his Subordinate Officer should produce such document. We have also recorded that in such circumstances, the proposal should not be rejected, since such an order is not only counter productive, but leads to unnecessary litigation. We have also imposed nominal costs on various Deputy Directors of Education. Yet, the same mistakes are being committed and similar orders are being passed.

3. In view of the above, this **Writ Petition is partly allowed**. The impugned order dated 19th June, 2023, passed by Respondent No.2, Mr. Sandeep Sangave, Deputy Director of Education, Mumbai Region, is quashed and set aside.

4. The Respondent No.3 is directed to produce the original approval order pertaining to Petitioner No.1 before Respondent No.2, within 21 days from today. Thereafter, Respondent No.2 shall verify the records and if the approval is intact, grant Shalarth-ID within 15 days thereafter.

6. If the Petitioner No.1 is held entitled for Shalarth-ID, all the arrears of salary of Petitioner No.1 shall be calculated and be paid within 30 days of the grant of the Shalarth-ID and regular salary shall be paid in accordance with the procedure applicable. We leave it to Respondent No.2 to warn Respondent No.3 for having not assisted him in deciding this matter, on its merits.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)