

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2495 OF 2025

Deepak Karbhari KandalkarPetitioner
versus
The State of Maharashtra and Ors.Respondents

Mr. Narendra V. Bandiwadekar, Sr. Advocate a/w Mr. Vinayak R. Kumbhar, Rajendra Khaire i/by Ms. Ashwini Bandiwadekar, Advocate for the Petitioner.

Mr. B.V. Samant, Addl. G.P., for the Respondent No.1– State.

Mr. Vivek B. Rane i/b Ms. Ashwin Kapadnis, Advocate for Respondent No.2.

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

DATE : 11th MARCH, 2025

P.C. :-

1. This matter was heard extensively on 10th March, 2025 and posted today.

2. The issue before us is an order passed by the Education Officer (Primary), Zilla Parishad, Pune, Ms. Sandhya Gaikwad,

dated 14th June, 2022. Vide the order, the Education Society is informed that the proposal for granting individual approval to Shri. Narendra Jankiram Mahajan and Sheetal Bhaskar Chaudhari, was considered.

3. In the hearing, the concerned Authority recorded the submissions of Smt. Swati Chimbalkar, Head Mistress, the Shikshan Sevak Shri. Narendra Jankiram Mahajan and Shri. Deepak Karbhari Kandalkar. The Petitioner before us is Shri. Deepak Karbhari Kandalkar. The entire impugned order pertains to the reasons being assigned for refusing individual approval to Shri. Narendra Jankiram Mahajan and Smt. Sheetal Bhaskar Chaudhari. There is not a whisper about any objections or deficiencies as regards the proposal of the present Petitioner. The advertisement was also published in Dainik Sakal and Dainik Lokmat, having largest circulation in the State of Maharashtra, on 24th April, 2012 and 25th April, 2012.

4. In view of the above, we do not find that the impugned order can be said to affect the Petitioner. In fact, the Petitioner was heard by the said Authority and there is no order of rejection. It

could mean that the approval is deemed to be granted. However, such a conclusion cannot be drawn since it is a matter of approval and there has to be a speaking order either granting or refusing approval.

5. Considering the above, **this Petition is disposed off** by recording that the contents of the order dated 14th June, 2022 are not with reference to the present Petitioner. Therefore, it is further directed that Respondent No.2 shall ensure that a proposal pertaining to the Petitioner's appointment, if pending, shall be decided by following the due procedure laid down in law within a period of 45 days from today, considering the rules and the policies applicable as on the date of his appointment.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)