

versus

Mr. Rahul S. Kadam a/w Mr. Vedant Babar, Advocate for the Petitioner.

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

P.C. :-

1. This is yet one more weird order passed by Dr. Bhausaheb Karekar Education Officer (Secondary) Pune Zilla Parishad, Pune. A proposal is sent by the Management for seeking approval to the appointment of the Petitioner as a Shikshan Sevak. The said proposal is rejected by the impugned order dated 9th May, 2024 for the reason that the Management should submit a certificate that there is no case pending with regard to the appointment of the

Petitioner. An Undertaking should also be given that there is no surplus teacher. Two more objections are raised.

2. Since the peculiar facts arise in this matter pertaining to the impugned order, we have not issue notice to the Management.

3. We would have no issue with objections or deficiencies being pointed out. We have an issue with Education Officers who continuously reject proposals by raising objections or pointing out deficiencies without granting an opportunity to the Managements to remove the deficiencies and submit a revised proposal. The Management has informed the Education Officer that clear full-time vacant post of Shikshan Sevak is created due to superannuation of Mrs. Smitu Tambe with effect from 30th September, 2020. In her place, the Petitioner was appointed as a Shikshan Sevak on 15th June, 2025.

4. In view of the above, **this Petition is partly allowed.** The impugned order is quashed and set aside with the following directions:

(a) The deficiencies/objections raised in the impugned order shall be treated as a notice to Respondent No.3 Management.

(b) Though the learned Advocate for the Petitioner points out that the Management has tendered the proposal in terms of the check-list prescribed by the Government of Maharashtra, yet, to avoid any further dispute, we direct the Management to once again review the proposal and tender the same within 45 days to Respondent No.2.

(c) Since the Education Officer has raised four objections while rejecting the proposal, he is precluded from raising any further objections. Similarly, clause 1 and 2 of the impugned order (objections), stand overruled.

(d) After the revised proposal is tendered by the Management, a reasoned order shall be passed within a period of 45 days from the date of submission.

(e) In the event the proposal is rejected, the Petitioner would be at liberty to avail of a remedy as is permissible in law.

(f) In the event the proposal is accepted and approval is granted, the Management would proceed to initiate steps for seeking Shalarth ID.

5. A copy of this order, obtained from the official website of the Bombay High Court, would be served by the Petitioner on the Management, expeditiously keeping in view the timeline granted.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)