

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2823 OF 2025

Rekha Nandakumar Kumbhar & Ors.Petitioners

versus

The State of Maharashtra & Ors.Respondents

Mr. Chetan Patil a/w Mr. Mandar Bagkar, Mr. Bhushan Jadhav,
Advocate for the Petitioners.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. T.J. Kapre, AGP for the
Respondent – State.

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

DATE : 7th MARCH, 2025

P.C. :-

1. This is a rare case wherein, before issuing notice to the Deputy Director of Education, Kolhapur Division, Kolhapur Shri. Mahesh Chothe, an Affidavit-in-Reply dated 3rd January, 2025 has already been filed through Ms. Smita B.Gaud, Assistant Director of Education, on behalf of the Deputy Director of Education, Kolhapur. Nevertheless, we appreciate the speed in which the Affidavit-in-

Reply is filed by the said Respondent and we expect all such Departments of Education to be equally proactive and quick in filing their Affidavits-in-Reply.

2. Nevertheless, the issue before us falls in a very narrow compass. The Petitioner No.1 has been appointed as a Shikshan Sevak on 23rd December, 2019. The proposal seeking approval to her appointment is alleged to be tendered by the Management, Petitioner Nos.2 and 3 herein. It is alleged that Respondent No.3 has declined even to receive the proposal. The learned AGP quickly adds that Respondent No.3 has never declined to receive the proposal and if the said proposal is tendered even today at Kolhapur, he will immediately accept it, make a mention in the inward register and grant a stamp by way of an acknowledgment of having received the proposal, to the representative of the Management

3. Shri. Patil, learned Advocate submits on instructions that the proposal would be tendered within seven days from today.

4. We record the above statements. After receiving the proposal, Respondent No.3 would scrutinise the same and if it is in

order, would pass an appropriate order within 30 days.

5. If there are any deficiencies, such deficiencies would be pointed out to the Management within 15 days of the receipt of the proposal, by sending an e-mail on the e-mail address of the Management.

6. Thereafter, the Management would remove the deficiencies, if any, within a period of 30 days and re-submit the revised proposal. We expect Respondent No.3 to pass a reasoned order on the revised proposal strictly in accordance with the provisions of MEPS Act/Rules and the GRs applicable, within a period of 21 days from the date of receipt of the revised proposal.

7. With the above directions, **this Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)