

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

(SR.NO.10) WRIT PETITION NO.12974 OF 2024

Shri. Amol Suresh Mali,

Age:28 Years, Occupation: Service

R/o. A/P. Chokak, Taluka : Hatakanangale

District : Kolhapur

.....Petitioner

VERSUS

1. The State of Maharashtra,

Through the Secretary,

School Education and Sports

Department, Mantralaya,

Mumbai- 400 032.

2. The Commissioner of Education,

School Education Department,

Maharashtra State, Pune.

3.The Director of Education,

(Secondary and Higher Secondary),

Maharashtra State, Pune-1.

4. The Deputy Director of Education,

Kolhapur Region, Kolhapur,

Having office at, Hatti Mahal, Ganji]

Galli, Somwar Peth, Kolhapur.

5. The Education Officer (Secondary),
Zilla Parishad, Kolhapur,
Having Office at, Zilla Parishad
Building, Nagala part, Kolhapur.

6. Antarbharti Shikshan Mandal
Kolhapur, 528/B, 'E' Ward, Vyapar
Peth, Shahupuri, Kolhapur,
Through its President/Secretary.

7. V. S. Khandekar Prasahala, Kolhapur,
528/b, 'E' Ward, Vyapar Peth
Shahupuri, Kolhapur,
Through its Head Master

....Respondents

WITH

(SR.NO.11) WRIT PETITION NO.12975 OF 2024

Shri. Rajaram Mahadev Sangave,
Age: 46 Years, Occupation: Service,
R/o. A/P. Nandgaon, Taluka: Karveer,
District : Kolhapur.

.....Petitioner

VERSUS

1. The State of Maharashtra,
Through the Secretary,
School Education and Sports
Department, Mantralaya,
Mumbai- 400 032.

2. The Commissioner of Education,
School Education Department,
Maharashtra State, Pune.

3. The Director of Education,
(Secondary and Higher Secondary),
Maharashtra State, Pune-1.

4. The Deputy Director of Education,
Kolhapur Region, Kolhapur,
Having office at, Hatti Mahal, Ganji
Galli, Somwar Peth, Kolhapur.

5. The Education Officer (Secondary),
Zilla Parishad, Kolhapur,
Having Office at, Zilla Parishad
Building, Nagala Park, Kolhapur.

6. Antarbharati Shikshan Mandal,
Kolhapur, 528/B, 'E' Ward, Vyapar
Peth, Shahupuri, Kolhapur,
Through its President/Secretary.

7. V. S. Khandekar Prashala, Kolhapur,
528/B, 'E' Ward, Vyapar Peth,
Shahupuri, Kolhapur,
Through its Head Master.

....Respondents

Mr. Prashant Bhavake for the Petitioners.

Ms. D. S. Deshmukh, AGP for the State, Respondent Nos. 1 to 5 in WP/12974/2024.

Ms. Priyanka Chavan, AGP for the State in WP/12975/2024.

Mr. Utkarsh Desai for Respondent No.6 and 7.

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

DATE : 5TH MAY, 2025

JUDGMENT PER (Ravindra V. Ghuge, J.):

1. Rule. Rule made returnable forthwith and heard finally by the consent of the parties.

2. The Impugned order dated 26th March, 2024 is yet one more example of the Education Officer, Secondary, Zilla Parishad, Kolhapur, Dr. Eknath Ambokar, listing out deficiencies in the proposal and instead of allowing the Management to remove the deficiencies, has rejected the proposal.

3. The learned Advocate for the Petitioner submits that this Court has set aside hundreds of such impugned orders.

4. The learned AGP submits that Dr. Eknath Ambekar has assured that, henceforth, he will not pass any such orders and in the recent past, he has been communicating deficiencies to the Managements, giving them opportunities to remove the deficiencies.

5. In view of the above, **this Writ Petition is partly allowed.** The Impugned order is quashed and set aside.

6. The deficiencies listed out in the Impugned order shall be treated as communication of such deficiencies to Respondent Nos. 6 and 7.

7. The learned Advocate for the said Respondents submits that within 30 days, the deficiencies would be cured and a fresh proposal would be tendered to Respondent No.5, on or before 15th June, 2025. We clarify that since the deficiencies have already been listed out, Respondent No.5 should not list out new deficiencies while deciding the revised proposal.

8. We, therefore, direct Respondent No.5 to consider the

revised proposal on its own merits and pass a reasoned order after conducting a meticulous scrutiny of the records in the light of the law applicable, within a period of 45 days from the date of receipt of the revised proposal.

9. **Rule made partly absolute in the above terms.**

10. In the event the proposal is rejected, the aggrieved party will be at liberty to avail of a remedy as is permissible in law. If the proposal is accepted, further steps for grant of Shalarth I.D. shall be initiated by the concerned parties, expeditiously.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)