

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

WRIT PETITION NO. 14123 OF 2024

Ms. Neha Nandlal Bhatla & Anr. ... Petitioners
Versus
The State of Maharashtra & Ors.. ... Respondents.

Mr. Narendra V. Bandiwadekar, Sr. Advocate a/w. Mr. Vinayak r. Kumbhar, Mr. Rajendra B. Khaire i/b. Ashwini N. Bandiwadekar, for the Petitioners.

Mr. K.S. Thorat, B-Panel Advocate, for Respondent/State.

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

DATE : 6th FEBRUARY, 2025

P.C. :

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

2. The proposal of the Petitioner No.1, seeking approval to her appointment dated 19.11.2018, as a Shikshan Sevak, has been rejected by the impugned order, dated 25.09.2023. Several deficiencies were pointed out. The proposal seeking approval to the Petitioner's appointment as Shikshan Sevak was already rejected by order dated 31.12.2018. However, the Management re-submitted a proposal making

an attempt to remove all deficiencies. That has resulted in the issuance of the impugned order. Petitioner No. 2 is a Linguistic Minority Educational Institution.

3. Though the learned AGP has made an attempt to defend the impugned order, it is apparent that many of the grounds for rejection pertain to certain inquiries and verification of documents that were to be done. We find from the impugned order that the same has resemblance of a list of objections. In several matters, we have been passing orders directing such authorities not to reject the proposal, if they raise objections as regards the deficiencies in a proposal. Time and again we have directed the authorities that they should issue notice to the Management and grant some time to cure the deficiencies. After a revised proposal curing the deficiencies is tendered, the same should be considered on its merits.

4. In view of the above, **this Writ Petition is partly allowed.** The impugned order is quashed and set aside. The grounds/objections raised in the impugned order shall be treated as a document pointing out deficiencies to the Management. Let the Management cure the deficiencies and submit a revised proposal, on or before 10th March,

2025. Thereafter, the concerned Authority/Education Officer would carry out a meticulous scrutiny and after due verification of the documents and the records, pass a reasoned order, on or before 30th May, 2025.

5. Rule is made partly absolute in the above terms.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)