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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15948 OF 2024

Dattatray s/o, Madhukar Kamble & Ors. .. Petitioners

Vs.

The State of Maharashtra & Ors. .. Respondents

...

Ms. Sneha Bhange with Adv. V. S. Panpatte, Ms. Divya Verma,
Advocates for the Petitioners.

Mrs. S. D. Chipade, AGP for the Respondent Nos.1 to 3-State.

...

**CORAM : SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ**

DATE : 8TH AUGUST 2025.

P.C. :

Aggrieved by the order of rejection dated 12th June 2024 passed by the Education Officer (Secondary), Zilla Parishad at Solapur by which the proposal for approval of the appointment of the petitioner no.1 under Scheduled Caste category and the petitioner nos.2 to 4 in Open category on the post of Assistant Teacher under Sangola Vidya Mandir Secondary and Higher Secondary School, Sangola-respondent no.5 has been rejected, the petitioner has approached this Court.

2. Without referring to the facts of the case, he would simply indicate that the order dated 12th June 2024 came to be passed by the Education Officer (Secondary) holding that the proposal for

approval of the appointment of the petitioner was not processed through Pavitra Portal.

3. The learned counsel for the respondents is seeking an adjournment to seek instructions on the facts. However, we are not inclined to adjourn hearing of this writ petition for the reasons that the issue raised in this writ petition seems to have been settled by series of orders passed by this Court. In writ Petition No.10205 of 2024 with connected matter "*Kalyansing Indrasing Rajput and others Vs. The State of Maharashtra Through Its Principal Secretary and others*" a co-ordinate bench of this Court recorded a finding that from 2017 until June 2024 Pavitra Portal was not functional. Since this finding is recorded in a judicial proceeding, there cannot be any dispute on fact and while so order dated 12th June 2024 must be held bad-in-law. We order accordingly. Consequently, the Education Officer (Secondary) shall grant approval for appointment of the petitioners under their respective category on the post of Assistant Teacher in Sangola Vidya Mandir Secondary and Higher Secondary School, Sangola , if already not granted on a subsequent proposal submitted by the management of the said school.

4. Writ Petition No.15948 of 2024 is allowed.

[MANJUSHA DESHPANDE, J.] [SHREE CHANDRASHEKHAR, J.]