GAURI AMIT GAEKWAD
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.17498 OF 2024

Pravin Laxman Jadhav,)
Age: 38 Years, Occupation : Service,)
R/o. A/P. Siddhewadi, Taluka : Pandharpur,)
District : Solapur) ….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,)
Pune Region, Pune, Having office at 17,)
Dr. Babasaheb Ambedkar Road Camp,)
Pune.)

5. The Education Officer (Secondary),)
Zilla Parishad, Solapur,)
Having Office at Zilla Parishad Building,)
Solapur.)

6. Shri. Prasad Maharaj Amalner)
Shaikshanik Va Samajik Sanstha,)
Taluka : Pandharpur, Dist: Solapur,)
Through its President/Secretary)

7. Yashkirti Vidyalay, Pandharpur,)
Taluka : Pandharpur, Dist: Solapur,)
Through its Head Mistress.) ….Respondents

Mr. Prashant S. Bhavake a/w. Mr. Sushant A. Khatake for the Petitioner.

Mr. S.P. Kamble, AGP for Respondent Nos.1 to 5.
Mr. Utkarsh Desai for Respondent Nos.6 and 7.

CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.
DATE : 10th MARCH, 2025

ORAL JUDGMENT (PER RAVINDRA V. GHUGE, J.) :

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

2. Considering several orders passed by this Court and the law laid down by this Court in ***Pramod Prabhakar Pokale v/s. State of Maharashtra and Ors.***[1], we have no reason to keep this Petition pending. It is crystalised law that once the approval has been granted and the said approval is intact, the Authority vested with the jurisdiction to deal with the proposal for granting Shalarth ID, has to only inquire into whether the approval order is authentic, keeping in view that when an approval to an appointment is granted, the competent Authority conducts an in-depth verification exercise and after considering the entire record, that an approval is granted. Such grant of approval cannot be revisited by the higher Authority which

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has jurisdiction only to entertain a proposal for grant of the Shalarth ID.

3. It is an admitted position that the approval is intact and no inquiry has been initiated under any provision of law to assess whether the approval was granted due to any fraudulent act.

4. In view of the above, **this Petition is partly allowed**.

5. The impugned order by Respondent No.4, dated 22nd September, 2022 refusing Shalarth ID, is quashed and set aside.

6. We direct Respondent No.4 to grant the Shalarth ID to the Petitioner within 15 days from today. All consequential proceedings for grant of service benefits, including arrears, would be initiated by the concerned Authorities, expeditiously.

7. **Rule is made partly absolute** in the above terms.

(ASHWIN D. BHOBE, J.) **(RAVINDRA V. GHUGE, J.)**