

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

WRIT PETITION NO.17918 OF 2024

Shri. Sameer Subhash Powar,
Age: 38 Years, Occupation: Service,
R/o. At: Khandad, Post: Mangaon,
Taluka: Mangaon, District: Raigad.

.....Petitioner

Versus

1. The State of Maharashtra,
Through its Secretary,
School Education & 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,
Mumbai Region, Mumbai, having
office at, Jawahar Bal Bhavan,
Ground Floor, Netaji Subhash Road,
Charni Road, Mumbai- 400 004.

5. The Education Officer (Secondary),
Raigad Zilla Parishad, Alibaug,
Having office at, 'Shivtirth', 3rd Floor,
Raigad Zilla Parishad, Alibaug,
District: Raigad.

6. Mangaon Shikshan Prasarak Mandal,
Mangaon, Tal.Mangaon, Dist: Raigad,
Through its President/Secretary.

7. Ashokdada Sable Vidyalaya and
Mangaon Junior College, Mangaon,
Taluka: Mangaon, District: Raigad,
Through its Head Master ...Respondents.

Mr. Prashant Bhavake for the Petitioner.

Mrs. Pooja Joshi Deshpande, AGP for the State/Respondent Nos. 1
to 5.

Mr. Utkarsh Desai for the Respondent Nos. 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 Education Officer Secondary, Raigad Zilla Parishad at Alibag has passed the Impugned order dated 31st May, 2024. He has listed out the reasons for the rejection of the proposal seeking grant of approval to the appointment of the Petitioner. A primary reason set out is that the Petitioner was appointed on 1st November, 2013 and the proposal for seeking approval was tendered on 4th February, 2024. So also, as issue of ban on recruitment is mentioned.

3. The learned Advocate for the Management, Respondent Nos. 6 and 7 submits that had the Education Officer intimated these objections to the Management, an effort to explain away the objections, would have been made by the Management.

4. In view of the above, **this Writ Petition is disposed off** with the following directions:

- a) The Impugned order dated 31st May, 2024 shall be deemed to be a notice to the Management, wherein the three deficiencies have been listed out.
- b) The Management shall submit a revised proposal with

explanation to each of the objections raised, on or before 15th June, 2025.

c) The Respondent No.5 would thereafter carry out a meticulous inspection of the documents that would be tendered by the Management and pass a reasoned order on the said revised proposal, on or before 31st July, 2025.

d) If the proposal is rejected, the aggrieved party may avail of a remedy as is permissible in law.

e) If the proposal is accepted, further steps for grant of Shalarth I.D. would be initiated by the concerned, expeditiously.

5. Rule is discharged.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)