

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.19404 OF 2024**

Hemlata Dayanand WaghmarePetitioner

Versus

The State of Maharashtra and Ors.Respondents

Advocate K.K. Malpathak a/w. Mr. Vikas Kolekar and Mr. Kunal Shirgire for the Petitioner.

Mr. Siddheshwar Baba Kalel, AGP for Respondent Nos.1 and 2.

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

P.C. :-

1. This is yet one more case wherein the Education Officer, Secondary, Zilla Parishad, Sangli (Mr. Rajesaheb Londhe) has passed the impugned order dated 9th June, 2023 by which, objections and deficiencies are pointed out in the proposal and without granting an opportunity to the Management to cure the deficiencies, the proposal has been rejected. Time and again, we have passed hundreds of such orders. In order to deter Education Officers from passing such orders, we have been imposing nominal costs. Yet, such orders are being passed repeatedly.

2. The advertisement, prior to recruitment, was published in a relatively unknown newspaper, namely, Dainik Bandhuta. The College is situated at Ghanand, Taluka Atpadi, District Sangli.

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

4. The impugned order dated 9th June, 2023 is quashed and set aside, with the following directions :

(a) the objections raised in the impugned order shall be treated as a notice to the Management;

(b) the Management would initiate steps for curing the defects and for removing the deficiencies, within 45 days from today;

(c) after the revised proposal is tendered to Respondent No.2, he would scrupulously carry out a verification exercise and look into the record pertaining to the selection and appointment of the Petitioner, including the aspect of whether the advertisement was published in a widely circulated newspaper;

(d) let a decision be arrived at within 45 days after the revised proposal is received. A reasoned order shall be passed.

(e) the aggrieved party is at liberty to avail of a remedy as is permissible in law, if the proposal is rejected.

(f) if the proposal is accepted, further steps for grant of Shalarth ID would be initiated strictly in accordance with the procedure laid down in law.

(g) Respondent No.2 shall deposit costs of Rs.5,000/- in this Court from his salary bank account, within a period of 30 days from today. With the consent of the Petitioner, the said amount shall be transferred by the Registry, to the following establishment :

**The High Court Employees Medical Welfare Fund
at Mumbai**

Account No. : 000120110001337
Bank : Bank of India
Branch : Mumbai Main
IFSC Code : BKID0000001

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)