

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.869 OF 2025**

1] Mrs. Krupali Krupesh Vekhande,)
[Ms. Punam Madhukar Desale],)
Aged 37 Yrs, Occ. Service,)
R/o. Row House No. 6, Yashwant Niwas,)
Ghodela 27 Park View,)
Ganesh Nagar, Satpati Road,)
Tembhode, Palghar [W] - 401 404)
2] Kudus Vibhag Shikshan Santha,)
Chinchghar, Tal. Wada,)
Dist. Palghar,)
Through its Chairman / Secretary)Petitioners

Versus

1] The State of Maharashtra,)
Through the Secretary,)
School Education Department,)
Mantralaya, Mumbai - 400 032)
2] The Deputy Director of Education,)
Mumbai Region, Mumbai)
3] The Education Officer [Secondary],)
Zilla Parishad, Palghar)Respondents

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w. Mr. Vinayak R. Kumbhar, Mr. Rajendra B. Khaire and Mr. Aniket S. Phapale i/b. Ms. Ashwini N. Bandiwadekar for the Petitioners.
Mr. S.P. Kamble, AGP for the State.

**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. Despite the law laid down by this Court in *Pramod Prabhakar Pokale v/s. State of Maharashtra and Ors.*¹, the Education Officer, Secondary, continues to pass unsustainable orders. The impugned order dated 22nd January, 2020, which is dispatched through the outward register on 24th January, 2020, has been passed.

3. Petitioner No.1 was appointed as an Assistant Teacher on an unaided post on 15th June, 2012. Her appointment was approved vide order dated 25th April, 2019. Prior thereto, she was transferred on 21st October, 2018 to the fully aided establishment. By the impugned order, instead of granting approval to the transfer of the Petitioner on a post which fell vacant on a particular date, due to the death of Mr. Mahesh Patil on 11th October, 2018, the Education Officer has granted approval to the appointment of the Petitioner, as a Shikshan Sevak, on a monthly honorarium of Rs.8,000/-, for a period of 3 years from 1st November, 2018. Apparently, the Education Officer has misdirected herself and is

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unaware of the law laid down in *Pramod Prabhakar Pokale* (Supra).

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

5. The impugned order shall stand modified and the approval shall be effected from 1st November, 2018, as a full time Assistant Teacher. The Authority shall issue a formal order recording such approval, within 15 days from today.

6. Needless to state, the Petitioner would be entitled for all consequential monetary benefits.

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

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)