

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

WRIT PETITION NO.1442 OF 2025

Arun Ramsingh Kalburgi

.....Petitioner

Vs.

Maharashtra Shikshan Prasarak

Mandal Solapur and Ors.

....Respondents

Mr. Anant Vadgaonkar for the Petitioner.

Mr. P. P. Kakade, Addl. G. P a/ Mr. V. G. Badgujar, AGP for the State.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 4th FEBRUARY, 2025

P.C. :-

1. This is yet, one more such order wherein Shalarth I. D. has been refused to the Petitioner, though his appointment and service has been approved, only for the reason that the Subordinate Officer of the Deputy Director of Education did not place the original approval order, before him.

2. In such identical matters, we have set aside the order

with the observations that it is the Senior Officer who has to ensure that the original approval order is placed before him, while considering the proposal for grant of Shalarth I. D. and his Subordinate Officer should produce such document. We have also recorded that in such circumstances, the proposal should not be rejected, since such an order is not only counter productive, but leads to unnecessary litigation. We have also imposed nominal cost on various Deputy Directors of Education. Yet, the same mistakes are being committed and similar orders are being passed.

3. In view of the above, this **Writ Petition is partly allowed**. The impugned order dated 23rd August, 2024 passed by the Respondent No.4, Mr. Rajendra Ahire, Deputy Director of Education Pune, is quashed and set aside.

4. The Respondent No.3 is directed to produce the original approval order pertaining to the Petitioner before Respondent No.4, within 21 days from today. Thereafter, Respondent No.4 would verify the records and if the approval is intact, grant Shalarth I.d. within 15 days thereafter.

5. All the arrears of salary of the Petitioner shall be calculated and be paid within 30 days of the grant of the Shalarth I.D. and regular salary shall be paid in accordance with the procedure applicable. We leave it to Respondent No.2 to warn Respondent No.3 for having not assisted him in deciding this matter on its merits.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)