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

WRIT PETITION NO.1869 OF 2025

Bhuvaneshwari Vasantrao KulkarniPetitioner

Versus

The State of Maharashtra and Ors.Respondents

Advocate L.S. Deshmukh i/b. Ms. Manisha Devkar for the
Petitioner.

Ms. Pooja Joshi, AGP for the State.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.
DATE : 11th FEBRUARY, 2025**

P.C. :-

1. The Petitioner has been working with Respondent No.5 School as a part time Librarian, from 9th June, 1997. Her services were transferred from the part time post to the full time post on 1st June, 2002. The Petitioner approached this Court in Writ Petition No.9639 of 2022, for seeking a direction to the Competent Authority to decide the proposal. Vide order dated 12th August, 2022, Respondent No.2, the Education Officer, was directed to take a decision on the merits of the proposal.

2. The Management tendered a proposal along with the copy of the order of this Court, vide covering letter dated

Gauri Gaekwad

This order has been modified by speaking to the minutes of the order dated 20.02.2025.

24th September, 2022. The Education Officer, Secondary, Pune Zilla Parishad, Ms. Sunanda Wakhare, conveyed to the Management vide letter dated 9th December, 2022 that the proposal is deficient. She appended a checklist and directed the Management to submit the proposal in accordance therewith.

3. The learned Advocate for the Petitioner submits that the Management tendered such a reworked proposal on 19th December, 2022. A reminder was sent on 18th September, 2023. A further reminder was sent on 13th July, 2024. One more reminder was sent on 29th August, 2024. By a short reply dated 5th September, 2024, the Education Officer, Secondary Dr. Bhausahab Karekar, informed the Management in a single sentence, stating ‘तथापि वरील पत्रानुसार प्रस्ताव सादर केल्याचे निदर्शनास येत नसल्याने आपला प्रस्ताव अमान्य करण्यात येत आहे’.

4. The Management again forwarded a reworked proposal along with the checklist with the covering letter dated 10th September, 2024 received by the Zilla Parishad on 13th September, 2024. The said revised proposal is still pending.

Gauri Gaekwad

This order has been modified by speaking to the minutes of the order dated 20.02.2025.

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

- (a) the Education Officer, Secondary Dr. Bhausaheb Karekar is directed to meticulously peruse the proposal sent by the Management with the covering letter dated 10th September, 2024, and carry out a proper verification of the documents. If he finds that there are any deficiencies, he would issue a notice of hearing to the Management giving them clear 7 days notice period;
- (b) if the Management is heard pursuant to the above mentioned notice, the Education Officer shall pass a reasoned order on the merits of the proposal;
- (c) let this exercise be completed within a period of 60 days from today;
- (d) if the Management or the Petitioner is aggrieved by the decision of the Education Officer, liberty to seek redressal of the grievance by availing of a remedy as is permissible in law;
- (e) if the Education Officer grants approval to the Petitioner's appointment, the Management shall undertake the further procedure required for grant of Shalarth ID and all incidental and consequential monetary benefits would be paid to the Petitioner within a period of 60 days thereof;
- (f) considering that the Petitioner has been working as a part time Librarian since 9th June, 1997 and as a full time Librarian since 1st June, 2002, we direct that the service of the Petitioner shall not be dispensed with, only for the reason that she does not have an approval.

Gauri Gaekwad

This order has been modified by speaking to the minutes of the order dated 20.02.2025.

(g) we make it clear that we have not expressed any opinion on the merits of the claim of the Petitioner.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)

Gauri Gaekwad

This order has been modified by speaking to the minutes of the order dated 20.02.2025.