

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

WRIT PETITION NO. 2405 OF 2025

Shri Gauresh Krishna Dalvi. ... Petitioner.
Versus
The State of Maharashtra & Ors. ... Respondents.

Mr. Prashant Bhavake, Advocate for the Petitioner.

Ms. Priyanka Chavan, AGP for Respondent Nos. 1 to 5/State.

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

DATE : 15th APRIL, 2025

P.C. :

1. This is one more case wherein an Education Officer has raised objections by pointing out deficiencies in a proposal and without granting an opportunity of hearing to the Management or for curing the deficiencies, the proposal has been rejected. The impugned order dated 11.10.2024 is passed by one such Education Officer Secondary (Ms. Kavita Shimpi), Zilla Parishad, Sindhudurg who has also passed similar orders earlier.

2. At the request of the learned AGP, we are giving one more

opportunity to the said Education Officer.

3. In view of the above, **this Petition is partly allowed**. The impugned order dated 11/10/2024 is quashed and set aside. The deficiencies pointed out in the said order shall be treated as a communication to the Respondent Nos. 6 and 7 Management, who shall tender a revised proposal by removing the deficiencies, within 45 days from today. The learned Advocate for the Petitioner assures that a copy of this order would be served on the Respondent Nos. 6 and 7 by taking a print out from the official website of this Court.

4. Respondent No. 5 shall deal with the said revised proposal without raising any further objections, keeping in view that a long list of deficiencies have already been pointed out, by following the due procedure laid in law and by assigning reasons in support of her conclusions, within 30 days thereafter.

5. We are imposing nominal cost of Rs. 2,500/- to be paid by the said Education Officer from her salary bank account, by depositing the same in this Court within 30 days from today. By recording the consent of the Petitioner, the said amount be transferred by the Registry

of this Court, in favour of 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

6. If the Petitioner is aggrieved by any adverse decision, he is at liberty to avail of a remedy, as is permissible in law. However, if the approval is granted to the appointment of Petitioner, all other legal consequences and steps for allotment of the Shalarth-ID, shall be initiated expeditiously.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)