

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6639 OF 2025

Ashwini Kunal Sankhe.

... Petitioner.

V/s.

The State of Maharashtra & Ors.

... Respondents.

Mr. Narendra V. Bandiwade, Senior Advocate a/w. Mr. Vinayak R. Kumbhar, Mr. Rajendra B. Khaire, Mr. Aniket S. Phapale, i/b. Ashwini N. Bandiwadekar, Advocate for Petitioner.

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

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

DATE : 20th NOVEMBER, 2025

P.C. :

1. In this matter, the Education Officer (Secondary), Zilla Parishad, Palghar, has passed identical orders concluding on a solitary point that, because the Petitioner was not recruited through the Pavitra Portal, approval to her appointment cannot be granted. The learned Addl. GP points out that recently this Court has delivered a Judgment on 16th October, 2025 in Writ Petition Nos.6949 of 2025, 6950 of 2025 and 10116 of 2025 (*Kum. Ratna Ramesh Salunke & Ors. V/s. The State of*

Maharashtra and others), concluding that Pavitra Portal is the only legal process through which recruitment can be made. If the Pavitra Portal is activated for any Institution and the Login-ID is also furnished to the Management, appointments cannot be made *de-hors* the Pavitra Portal.

2. In the impugned order, we do not find that the Education Officer has taken the efforts to verify as to whether the Pavitra Portal was activated and whether the Login-ID was furnished to the Management, namely Seva Ashram Shikshan Sanstha, Murbe, Taluka & District Palghar, which appointed these Petitioners.

3. In the absence of a specific scrutiny on this count, merely rejecting the proposal on the ground that the recruitment was not made through the Pavitra Portal, would result in miscarriage of justice. We, therefore, deem it appropriate to remit these matters to Respondent No.3/Education Officer (Secondary), to carry out an inquiry as regards whether the Pavitra Portal was activated and whether the Login-ID was allocated to the Management.

4. In view of the above, **this Writ Petition is partly allowed**, only for the afore stated reason. The impugned order is quashed and set

aside. The proposal of this Petitioner is remitted to the office of Respondent No.3/Education Officer (Secondary).

5. The Management, which is before us as Respondent No.4 in this matter, would file an affidavit sworn on oath before Respondent No.3/Education Officer (Secondary), within a period of 30 days from today, declaring whether the Pavitra Portal was activated with reference to its Institutions and whether the Login-ID was allocated to the Management. Based on the contents of the affidavit, Respondent No.3/Education Officer (Secondary) would carry out a verification exercise. Needless to state, if the Pavitra Portal was activated and the Login-ID was made available to the Management at the time when the Petitioner was appointed, the Education Officer would be at liberty to follow the law laid down in *Kum. Ratna Ramesh Salunke (Supra)*. If the Pavitra Portal was inactive and no Login-ID was allocated to the Management, the Education Officer will consider each case on its own merits and pass a reasoned order.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)