

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7469 OF 2025

Varsha Luciano Gonsalves & Anr.

...Petitioners

Versus

The State of Maharashtra & Ors.

...Respondents

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w Mr. Rajendra B. Khaire i/by Ms. Ashwini N. Bandiwadekar Advocate for the Petitioners.

Mr. Abhishek Bhadang, AGP for the Respondent/State.

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

DATE : 3rd DECEMBER, 2025

P.C. :-

1. We have heard the learned Senior Advocate for the Petitioners and the learned AGP. With their assistance, we have perused the Petition paper book.

2. The primary reason for rejection of the proposal tendered by the Management with regard to the appointment of Petitioner No.1, vide the impugned order dated 12th September, 2022, was a pending Petition before us. This Court had passed an

order on 6th February, 2024 in Writ Petition No.5058 of 2021 *(Maharashtra Rajya Shaikshanik Prayogshala Karmachari Mahasangh & Anr. V/s. State of Maharashtra & Ors.)* and other connected matters, which details are not mentioned in the impugned order. The said injunctive order was vacated by this Court vide order dated 6th February, 2024 and the Petitions have been disposed off.

3. In view of the above, the only way out is to set aside the impugned order dated 12th September, 2022, restore the proposal of Petitioner No.1 and direct the Education Inspector to deal with the said proposal strictly in accordance with law and pass an appropriate order, considering the norms as well as the policies applicable, as on date of appointment of Petitioner No.1.

4. In view of the above, **this Writ Petition is partly allowed**. The impugned order dated 12th September, 2022 is quashed and set aside. The proposal of Petitioner No.1 is restored to the file of Respondent No.3. The said Authority would consider the proposal of Petitioner No.1 in the light of the rules and policies applicable, as on the date of appointment and pass a reasoned order within a period of 60 days from today. This time would not be

extended. In the event, any deficiencies are noticed in the proposal, the said Authority would intimate the Management of the deficiencies, within a period of 21 days from today and permit the Management to remove the deficiencies, within a period of 15 days thereafter.

5. If an adverse order is passed, it shall contain proper reasons. If the proposal is allowed, all incidental and consequential benefits would be available to Petitioner No.1.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)