

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

CONTEMPT PETITION NO. 700 OF 2025

IN

WRIT PETITION NO. 8218 OF 2022

Dhanaji Devman Kakulte. ... Petitioner.

V/s.

State of Maharashtra & Ors. ... Respondents.

Mr. Chetan G. Patil (through V.C.), Advocate for Petitioner.

Mr. V.G. Badgujar, AGP for Respondent/State.

CORAM : RAVINDRA V. GHUGE AND

ASHWIN D. BHOBE, JJ.

DATE : 6th NOVEMBER, 2025

P.C. :

1. We have perused our order dated 22/01/2025 passed in Writ Petition No. 8218 of 2022, filed by the present Petitioner. Respondent Nos. 4 and 5 in the Writ Petition were directed to submit a fresh proposal while seeking grant of approval to the appointment / promotion of the present Petitioner. The direction set out in the Writ order, more particularly reads as under :

“1. Having superannuated from the post of Head Master, the Petition is drawing the pension payable to Assistant

Teacher.

2. *The grievance is having promoted on 20 December 2014 on the post of Head Master and superannuated on 31st May 2016, the pension admissible to the Petitioner for the Post of Head Master for want of approval is not paid.*

3. *The Respondent-Management in Paragraph No.14 of the affidavit dated 20th July 2023 as stated under :*

“14. I say that Respondent Nos. 4 and 5 have no objection to re-submit the proposal to Respondent No.3 once the Petitioner takes the steps to submit the same with Respondent No.4. I further say that it seems that then Head Master has already submitted the proposal to Respondent No. 3 in 2019 and the same is received by Respondent No.3. I say that these Respondent Nos. 4 and 5 have no objection for Respondent No.3 to sanction the same if the same is found in order.”

4. *The learned Assistant Government Pleader (AGP) appearing for the Education Officer submits that the proposal is not traceable/received as has been claimed in the aforesaid para from the management.*

5. *In this backdrop, we deem it appropriate to direct the Respondent Nos.4 and 5 to submit again a proposal in the matter of grant of approval to the appointment/promotion of the Petitioner on the post of Head Master for the period referred above within a period of four weeks from today. The representative of Respondent-Management and the Petitioner pursuant thereto shall appear before the Education Officer on 25 February 2025 at 10:00 a.m. in the morning. The Education Officer shall decide the claim for a grant of approval and all consequential reliefs within a period of four weeks thereafter by a reasoned order.”*

6. *Liberty to approach afresh in case if the order is adverse to the interest of the parties. The Writ Petition stands disposed of.”*

2. We are informed that the Management has submitted its revised proposal in pursuance to the above directions of this Court. It is thereafter that the Education Officer (Secondary) Shri Pravin Patil has called for certain documents, which *prima facie* do not seem to be relevant to the cause raised by the Petitioner.

3. We are informed that the Education Officer (Secondary) Shri Pravin Patil, is now lodged in police custody remand in the light of the FIR No. 95 of 2025 dated 09/7/2025 registered at Azad Nagar Police Station, Nashik Gramin and FIR No. 0181 of 2025 dated 27/07/2025 is registered at Pawarwadi Police Station, Nashik Gramin. It is alleged that he has committed offences under Sections 3(5), 318(4), 336(3), 337, 340(2) of the Bharatiya Nayay Sanhita, 2023. We are further informed that an In-charge Education Officer (Secondary) is presently performing the duties.

4. Considering the above, the statement of the learned AGP is recorded that the In-charge Education Officer (Secondary) will consider the proposal of the Petitioner on its own merits in the light of the order of this Court dated 22/01/2025, passed by the Writ Court, on or before 31st

December, 2025. He would follow the procedure laid down in law and pass a reasoned order.

5. In view of the above, by the consent of the parties, this **Petition is disposed off.**

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)