



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 6878 OF 2024

(Md. Waseem s/o Sk. Iskandar Vs. State of Maharashtra and ors)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.I. Khan, Advocate for petitioner.
Mr. J.Y Ghurde, AGP for respondent No. 1/State.
Mr. G.G. Mishra, Advocate for respondent Nos. 2 and 3,

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 04-02-2025

The petitioner, who had applied for being appointed as a Shikshan Sevak, and was selected, however, since it was brought to the notice of respondent No.3 that the petitioner was involved in some TET fraud, communication was addressed on 2.8.2024 to Police Inspector, Cyber Cell Pune. Since there was no response, the present petition has been filed. The learned AGP has filed the affidavit on behalf of the respondent No. 1 in which the following has been stated:

“12. It is submitted that, the office of the Education Officer (Primary) vide its letter dated 2.8.2024 had inquired about the status of the petitioner and had called for the report about the petitioner that whether any crime is registered against him? The said letter dated 2.8.2024 was duly replied by the office of the answering respondent vide its letter dated 16.8.2024, copy of which is annexed herewith as Annexure R-4. It is mentioned in the said letter dated 16.8.2024 that the name of the petitioner finds its place in the a investigation of the Crime No. 56/2021 and 58/2021 registered with the Cyber Police Station, Pune.

13. However, it is categorically submitted that during the investigation done till today, the

petitioner has not been arrayed as an accused in any of the crimes registered by the Cyber Police, Pune”.

2. The above would categorically indicate that the petitioner has not been arrayed as an accused in any criminal proceedings, which would indicate to us that the impediment for consideration of the petitioner for being appointed as Shikshan Sevak on that ground does not survive. We therefore, allow the petition by directing the respondent Nos. 2 and 3 to consider the case of the petitioner for appointment to the post of Shikshan Sevak, in case, there is no other impediment in law.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

Belkhede