



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3637 OF 2024

(Sant Sai Baba Shikshan Sanstha, Wanadongri, Thr. its Secretary,
Tah. Hingna, District Nagpur & Ors.

Vs.

The State of Maharashtra, Thr. its Secretary, School Education and
Sports Department, Mantralaya, Mumbai & Ors.)

WITH

WRIT PETITION NO. 3746 OF 2024

(Sant Saibaba Shikshan Sanstha, Wanadongri, Tah. Hingna, District
Nagpur, Thr. its Secretary & Ors.

Vs.

State of Maharashtra, Thr. its Secretary, Department of Education,
Mantralaya, Mumbai & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Anand Parchure, Advocate for the Petitioners.

Mr. J.Y. Ghurde & Mr. Aalap Palshikar, AGPs for the Respondent(s)/State.

**CORAM: ALOK ARADHE, CJ. AND
 AVINASH G. GHAROTE, J.**

DATED : 26th FEBRUARY, 2025

P.C.

1. Heard.

2. In both these Petitions the orders passed by the Respondent No.2 rejecting the inclusion of the names of the Petitioners in Shalarth ID are being questioned. The rejection as is discernible from the order of the Deputy Director of Education is clause 4 of the Government Resolution dated 01.04.2021 (page 61), however, what is material to note is that the Education Officer by his order dated 21.11.2022 in

Writ Petition No.3637/2024 (page 41) and 19.07.2022 in Writ Petition No.3746/2024 (page 27), has already granted approval for transfer of the Petitioners from unaided to aided section of the School run by the same Management.

3. Once the approval has been granted by the Education Officer, which is not disputed, is still in force, the Deputy Director of Education cannot refuse to include the names of the Petitioners in the Shalarth ID for the purpose of disbursing of their salary. In that view of the matter, the impugned orders passed by the Deputy Director of Education are hereby quashed and set aside and it is directed that the names of the Petitioners be included in the Shalarth ID for the purpose of disbursal of their salary and other emoluments.

4. The Petitions are accordingly **allowed** in the above terms. No costs.

5. Needless to say, that this shall be the position, till such time the order of approval of transfer by the Education Officer of the Petitioners from unaided to aided shall continue to remain in force.

6. Pending application/s, if any, shall stand disposed of accordingly.

(AVINASH G. GHAROTE, J.)

(CHIEF JUSTICE)