



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO. 380 OF 2026

PRATHAMESH BALAJI KADAM

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. S.M. Kulkarni, Advocate for petitioner

Mr. S.K. Tambe, AGP for respondent Nos.1 to 3

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CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 12th FEBRUARY, 2026

ORDER : (PER : HITEN S. VENEGAVKAR, J.)

. Present petition filed by petitioner seeking directions for quashing the order dated 28.08.2025 passed by Education Officer, thereby refusing to grant approval to petitioner's appointment for the post of Junior Clerk. Petitioner states that petitioner came to be appointed on the vacant post on 21.07.2025. Respondent Nos.4 and 5 thereafter forwarded the proposal of petitioner's appointment for approval to respondent No.3. By order dated 28.08.2025 respondent No.3 refused the said proposal of

petitioner by noting certain deficiency in the documents submitted by respondent Nos.4 and 5. We have perused the impugned order annexed to present petition and said order makes reference to nine documents, which are not submitted by respondent Nos.4 and 5 along with the approval as stated by respondent No.3. However, we are of the opinion that if there was a shortfall of certain documents in support of petitioner's proposal for approval, respondent No.3 ought to have granted one opportunity to respondent institution to either submit these documents or at least to give an explanation about the same. Respondent No.3 has merely by mentioning the list of deficit documents proceeded to reject the proposal. In our view this is not a correct approach of the Education Officer (Secondary) while dealing with the proposal submitted by respondent institution. Thus, we **dispose of** the writ petition by issuing directions to respondent No.3 that he will recall the proposal from respondent Nos.4 and 5 along with documents mentioned in the order dated 28.08.2025, within a period of two weeks. Upon the said documents and the proposal is received by respondent No.3, the same shall be decided within a further period of eight weeks.

2 We do not find it out of place to mention here that such kind of petitions are regularly being filed in this Court where we have noticed that Education Officers merely by noting the list of deficit documents reject the

proposals without giving any opportunity to the institutions for submitting their explanation or time to submit the deficit documents. This, according to us, violates the principles of natural justice, though we are conscious of the fact that granting opportunity is an administrative action. Principles of natural justice be applied even in administrative decision. We accordingly direct respondent No.2 to issue an office circular directing all the Education Officers to give opportunity to the institution to comply with the deficit documents within reasonable time and only thereafter finally decide the proposals for approval. The office circular be issued within a period of four weeks.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)

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