



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

WRIT PETITION NO. 381 OF 2026

Shaikh Rajak Shahamad,
Age-29 years, Occu:Service as
Junior Clerk,
R/o-Ambulga, Taluka-Kandhar,
District-Nanded.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Secretary,
School Education and Sports
Department, Mantralaya,
Mumbai-32,
- 2) The Education Officer (Secondary),
Zilla Parishad, Nanded,
- 3) Shree Manik Prabhu Sanstha,
Ambulga, Registered Trust, Ambulga,
Taluka-Kandhar, District-Nanded,
Through its Secretary / President.

...RESPONDENTS

...
Mr. Vitthal H. Dighe Advocate for Petitioner.
Mr. S.K. Tambe, Additional Government Pleader for
Respondent Nos. 1 and 2.

...
**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 12th JANUARY, 2026

ORDER [PER HITEN S. VENEGAVKAR, J.] :

1. Present Petition challenges the communication dated 15th September 2025 issued by respondent No.2 - the Education Officer (Secondary), Zilla Parishad, Nanded, whereby the present petitioner's proposal came to be rejected. The petitioner also seeks direction to respondent No.2 to reconsider and decide the proposal dated 20th February 2024, for grant of approval to the appointment order of the petitioner as junior clerk, submitted by respondent No.3 management.

2. Learned Advocate appearing for the petitioner submits that after following the due procedure, the petitioner came to be appointed as a junior clerk vide appointment order dated 25th January 2024. After the appointment, the management has forwarded the proposal of the petitioner's appointment for approval to the office of respondent No.2 - Education Officer. Learned Advocate has invited our attention to the communication dated 15th September 2025, wherein the Education Officer has rejected the proposal on the basis of letter dated 28th May 2025, issued by the Director of Education, Secondary and Higher Secondary, Maharashtra State, Pune, wherein it is stated that after the appointments made on the

compassionate ground and absorption of surplus non-teaching staff is completed, only thereafter the proposals in respect of regular appointments should be considered.

3. We find that the reason mentioned in the communication dated 15th September 2025, is absolutely insufficient and vague and does not decide the proposal of the petitioner on its own merits. For this reason, we partly allow the Writ Petition. The communication dated 15th September 2025, issued by respondent No.2 – Education Officer stands quashed and set aside. We direct respondent No.2 – the Education Officer (Secondary), Zilla Parishad, Nanded to re-consider the proposal of the present petitioner without relying upon the letter dated 28th May 2025 issued by the Director of Education. The proposal of the petitioner to be decided on its own merits, within a period of SIX WEEKS from today.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE