



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 553 OF 2026

Lalit Prakashrao Borde

VERSUS

The State Of Maharashtra And Others

...

Mr. T. M. Tukaram, Advocate for the Petitioner

Mr. V. M. Kagne, AGP for Respondent-State

Mr. Vikrant Valse, Advocate for Respondent nos.5 and 6

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**CORAM : SMT. VIBHA KANKANWADI &
AJIT B. KADETHANKAR, JJ.**

DATED : 27TH APRIL, 2026

ORDER :-

. The present petition challenges the communication dated 21.08.2025, passed by respondent no.3. Perusal of the said letter would show that the proposal seeking approval for the appointment of petitioner as an Assistant Teacher was rejected on the ground that certain documents and explanation has not been given. This Court has taken a view that when there are defects in the proposals, then instead of taking harsh step of rejection, an opportunity should be given to the concerned educational institute to remove those defects.

2. Today, learned Advocate Mr. Vikrant Valse is appearing on behalf of respondent nos.5 and 6 and places on record the communication sent to him by respondent nos.5 and 6 wherein

respondent nos.5 and 6 have given undertaking that they would file a fresh proposal by removing all the defects which are stated.

3. Here, when there is a possibility of existence of all the documents, but unfortunately they were not annexed by the institution, and certain explanation is not given by the institution, employee should not suffer and therefore, we set aside the said communication dated 21.08.2025 and relegate the matter to the respondent no.3.

4. We dispose of the Writ Petition by directing the respondent nos.5 and 6 to file a fresh proposal with the respondent no.3 within a period of seven days from today, and after receiving such proposal, the respondent no.3 to decide the same within a period of eight weeks thereafter. We also state that respondent no.3 may give one more opportunity after the scrutiny of the documents annexed with the proposal to remove the deficiency, if any, to respondent nos.5 and 6 as well as to petitioner as the case may be, and thereafter, the said final decision be taken.

[AJIT B. KADETHANKAR, J]

[SMT. VIBHA KANKANWADI, J.]