



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

962 WRIT PETITION NO.719 OF 2026

Abhijit Ramesh Patil

VERSUS

The State Of Maharashtra And Others

...

Ms. Meghay Y. Mali, Advocate for the Petitioner.

Mr. V. M. Kagne, AGP for Respondent Nos.1 to 3/State.

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

DATE : 22 JANUARY 2026

ORDER :

. Issue notice to the respondents. Learned AGP waives notice for respondent Nos.1 to 3.

2. The challenge is to the order dated 01.07.2025 passed by respondent No.3. Learned Advocate for the petitioner submits that the petitioner came to be appointed as Junior Clerk on 26.04.2012. Thereafter, he has acquired the requisite qualification and when there was vacancy, he has been promoted as Shikshan Sevak on 15.06.2023. Thereafter, the proposal for approval of his appointment as Shikshan

Sevak was forwarded on 23.01.2025 and, thereafter, the impugned order dated 01.07.2025 came to be passed approving the services of the petitioner as Shikshan Sevak, but it was for three years on honorarium. While passing the said order, respondent No.3 had not taken into consideration the decision in **Shri. Suhas Rangraoji More Vs. State of Maharashtra and others, (Writ Petition No.7706 of 2022 decided by this Court Bench at Nagpur on 21.12.2023)**, wherein Clause No.8 of Government Resolution dated 10.06.2005, stipulating promotion of non teaching staff as Shikshan Sevak on payment of honorarium, has been held to be arbitrary and discriminatory and, therefore, the impugned order deserves to be quashed and set aside.

3. Learned AGP submits that the law has been laid down in **Suhas Rangraoji More (Supra)**.

4. In Writ Petition No.3856 of 2025 order dated 21.03.2025 and in Writ Petition No.4061 of 2024 order dated 18.06.2025, similar orders have been passed.

5. Therefore taking into consideration the fact that the petition is squarely covered by the decision of the Coordinate Bench, we do not want to take any different view. The petitioner is entitled to correction in the order of approval. Hence, we proceed to pass the following order :-

ORDER

- I) Writ Petition is partly allowed.
- II) The impugned order dated 01.07.2025 passed by respondent No.3, to the extent of granting honorarium while approving the services of the petitioner as Shikshan Sevak is hereby quashed and set aside.
- III) We make it clear that there is no change as regards the approval granted to the appointment of the petitioner as Shikshan Sevak, however, the said approval should be on the pay scale and not on the basis of honorarium.
- IV) We direct respondent No.3 to issue a fresh order in view of this decision within a period of four weeks from today.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm