



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

WRIT PETITION NO. 737 OF 2026

Charansing Ramsing Jarwal

VERSUS

State Of Maharashtra Through Its Secretary And Others

Mr. R. I. Wakade, Advocate for petitioner

Mr. S. K. Tambe, Addl. GP for respondent-State

**CORAM : Smt. Vibha Kankanwadi &
Hiten S. Venegavkar, JJ.**

DATE : 23rd January, 2026

PER COURT :-

1. Present petition challenges order dated 26.09.2025 passed by respondent No. 3 in the capacity of President, Revised Grievance Committee and Deputy Director of Education, Chhatrapati Sambhajinagar i.e., respondent no. 3 wherein the order dated 03.02.2025 passed by respondent No. 4 was upheld.

2. Learned Advocate for the petitioner points out, wherein the rejection by the respondent No. 4 is only on the ground that there is dispute between the management and this order has been upheld by respondent No. 3. He relies on the decision in **Vikramaditya Ram More Vs. The State of Maharashtra and others** Writ Petition No. 351 of 2022 with companion matters decided on 04.02.2025 wherein reliance was placed on **Navnath S/o Narsing Gore Vs. State of Maharashtra**

and others reported in 2021 (6) Mh. L. J. 118, wherein it has been held that just because there was a dispute as to control of management on the institution that would not have been a ground to decline approval or to keep such approval in abeyance. He therefore, submits that both the orders are illegal and deserves to be set aside.

3. Learned AGP waives notice for respondent Nos. 1 to 4. There is no necessity to issue notice to the respondent Nos. 5 to 8. Learned AGP concedes to the legal possession in **Vikramaditya Ram More** (cited supra) as well as **Navnath S/o Narsing Gore** (cited supra).

4. There is no necessity for this Court to take different view merely because there is dispute in the management. The proposal cannot be rejected. Further, there are subsequent government resolutions as well as other government resolutions as to which committee manages day to day affairs or controls that has to be accepted by the Education Officer while considering the approval to an appointment that have been issued by the Government of Maharashtra. All those government resolutions ought to have been considered by respondent No. 4. So also, especially above said decisions. In fact, the respondent No. 3 before whom the grievance was made in the appeal/representation **Vikramaditya Ram More** (cited supra) as well as

Navnath S/o Narsing Gore (cited supra) were relied upon and still the respondent No. 3 has not taken note of those decisions. In fact, this amounts to a contempt. However, at this stage, we do not want to take cognizance of the same but, if such act persists with respondent Nos. 3 and 4 or any similar authority then we may take cognizance of such disobedience. Decisions of this Court are certainly binding on them and therefore, we set aside both the orders i.e., 03.02.2025 passed by respondent No. 4 and 26.09.2025 passed by respondent No. 3 thereby allowing the writ petition partly and direct the respondent No. 4 to consider the proposal for the appointment of the petitioner submitted on 27.07.2023 on its own merits but it shall not be rejected on the ground that was mentioned in order dated 03.02.2025. Such decision be taken within a period of two months from today.

(Hiten S. Venegavkar, J.)

(Smt. Vibha Kankanwadi, J.)

B. S. Joshi