



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

WRIT PETITION NO. 1520 OF 2026

Vijay Uttam Chavhan

VERSUS

The State Of Maharashtra And Others

Mr.S.B.Ghatol-Patil, Advocate for petitioner

Mr.A.M.Phule, AGP for respondent nos.1 to 3

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

DATE : MAY 04, 2026

ORDER :-

The matter was kept for compliance of the order passed by this court on 04.03.2026. Detail directions have been given regarding the procedure that is required to be adopted. In fact, this court was aware about the fact that there are already the Government Resolutions in its place which govern as to how the proposals for approval of the teaching and non-teaching staff, their transfers, promotions and inclusion of their names in *Shalarth Pranali* are issued. However, this court found that those directions are not being followed by the Education Department, especially the Educations Officers as well as the Deputy Director of Education in particular. If they would have followed the various Government Resolutions as the Government expected, there would not have been so much pendency before this

court. The decisions are not taken in time. The proposals are kept pending for months or years together and even for directions. Then, the concerned petitioners are required to approach this court.

2. We have also seen that in spite of the specific directions to decide the proposals within the specific period given by this court while disposing of the Writ Petitions and when such orders are passed upon the statement made on behalf of said Officers, yet said Officers are not taking decisions within time and therefore, the Contempt Petitions are filed thereby there is again increase in the pendency of this court.

3. We are surprised to note the communication dated 04.05.2026, which is now taken on record by marking as Exhibit "L", wherein, the Additional Secretary of Education and Sports Department, Mantralaya, Mumbai has relied on the Government Resolution dated 10.06.2022. The Concerned Officer states that such proposals are required to be decided within a period of one month and the Government has already fixed the time limit to decide such proposals. When the concerned Officer is aware about the time limit, it appears that conveniently forgetting that the time limits are not adhered to, instead of taking action against the erring Officers, the concerned Officer seeks extension of time by eight weeks to give

instructions. Further, the language that has been used is objectionable. The language suggests, in spite of directions that if there are any deficiencies, then the Government would consider them. In fact, we would have taken cognizance of contempt for using such language but at this stage, we are refraining. When the Government is making correspondence, thought it might be addressed to the Government Pleader but fully understanding that the said letter would be placed before the court, the Officer should use appropriate words. In spite of the directions given by this court, if the Government still feels that there is no deficiencies in the process/procedure, then the Government should take that bold stand, which would have been dealt with separately by this court then.

4. With a caution that if there is no compliance within further eight weeks from today, then this court would take cognizance under the Contempt of Courts Act. We direct learned AGP to bring this order to the notice of the Additional Secretary. We expect that the Government would issue a fresh Government Resolution in supersession of the earlier Government Resolutions including the directions now given in this petition, within the aforesaid period.

5. Place the matter for further compliance on 16.06.2026.

[AJIT B. KADETHANKAR, J.] [SMT.VIBHA KANKANWADI, J.]

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