



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

911 WRIT PETITION NO. 1818 OF 2026

Durga Shivaji Shinde & anotherPetitioners

VERSUS

The State of Maharashtra & othersRespondents

Mr. V. S. Panpatte, Advocate for the Petitioners.
Mr. S. B. Narwade, AGP for the State.

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

DATE : 7th APRIL, 2026.

PER COURT :

1. The present petition has been filed for the following reliefs :-
2. Heard learned Advocate for the Petitioners and learned AGP for Respondent Nos. 1 and 2. No necessity to issue notice to Respondent Nos. 3 to 5.
3. Both the Petitioners are serving as Assistant Teachers. Their appointments have been approved by Respondent No. 3. Thereafter, they have been transferred from unaided to aided posts by the Management and the proposal for inclusion of their names in the

Shalarth Pranali is positively recommended by Respondent No. 3 on 13.02.2024. However, it has not been decided till now by Respondent No. 2.

4. Learned Advocate for the Petitioner, by relying on judgments in case of Aparna d/o Vikas Thakur and another vs. The State of Maharashtra & others, Writ Petition No. 3141/2021 decided on 22.07.2021, Meenakshi Chandrakant Parab @ Anagha Anand Margaj vs. State of Maharashtra & others, Writ Petition Stamp No. 24049/2021 decided on 20.12.2021, Mahesh Pralhad Hawa vs. The State of Maharashtra & others, Writ Petition No. 13020/2023 decided on 18.12.2024, Shri Sagar Prakash Pangul vs. The State of Maharashtra & others, Writ Petition No. 8641/2019 decided on 06.10.2021 and Sheetal Dagadu Wagh vs. the State of Maharashtra & others, Writ Petition No. 7223/2025 with companion matters decided on 18.06.2025, wherein reliance has been placed on the earlier decisions of this Court, submits that there is absolutely no necessity for any formal order from Respondent No. 2 and the directions can be given to Respondent No. 2 to include the names of the Petitioners in Shalarth Pranali. His grievance is that inspite of so

many orders, the authorities are not taking decision on the proposal within a reasonable period.

5. Learned AGP submits that the procedure requires that there has to be an order for inclusion of the name of the employee in Shalarth Pranali by the competent authority. Earlier Respondent No. 2 had the authority to decide such applications in respect of the employees who have been transferred from unaided to aided posts. However, by Government Resolution dated 13.11.2025 the jurisdiction is now with the Commissioner of Education, Pune. Even, the subsequent circular makes it mandatory for all the Deputy Directors of Education to transfer the pending proposals to the Commissioner of Education, Pune.

6. Here, as regards the first point is concerned, though there appears to be an approval to the appointment of the Petitioners, yet, the procedure that has been laid down is binding on the officers in the Education Department and the decisions those have been rendered by this Court may be helpful to the Petitioners but this Court cannot assume the position as that of either Respondent No. 2 or the Commissioner of Education and issue the directions directly

for inclusion of the names of the Petitioners in the Shalarth Pranali. The proposal is pending and therefore, directions can be issued and even propriety require that such directions are to be issued and not to exercise the jurisdiction. Therefore, we discard the submissions on this point that have been raised by learned Advocate for the Petitioners.

7. Now, taking into consideration the fact that the proposal was pending before Respondent No. 2, we dispose of the Writ Petition by directing Respondent No. 2 to decide the said proposal within a period of four weeks from today.

(HITEN S. VENEGAVKAR)
JUDGE

(SMT. VIBHA KANKANWADI)
JUDGE

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