



IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

925 WRIT PETITION NO. 1627 OF 2026

Shubhangi Manikrao Shirke ....Petitioner

VERSUS

The State of Maharashtra & others .....Respondents

.....

Mr. A.S. Khedkar & Mr. P. R. Karpe, Advocate for the Petitioner.

Mr. R. S. Wani, AGP for the State.

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

DATE : 13<sup>th</sup> MARCH, 2026.

PER COURT :

1. The Petitioner is challenging the order dated 09.10.2025 passed by Respondent No. 2 refusing to grant approval to the Petitioner as 'Shikshan Sewak'.

2. It will not be out of place to mention here that the even earlier also the Petitioner was before this Court by filing Writ Petition No. 9048/2023 which came to be decided on 15.07.2025 wherein the petition was partly allowed and the matter was relegated back to the Respondent/Education Officer to give reasonable opportunity to the Respondents to pursue the proposal for grant of approval to the appointment of the Petitioner. Infact, it was specifically directed as

“Deficiencies, if any will be pointed out to the Respondent/Management and thereupon the Respondent/Education Officer shall take an informed decision afresh.” This indicates that an opportunity ought to have been given to remove the defects. However, on considering impugned order dated 09.10.2025, it appears that Respondent No. 2 has not given any opportunity to the management and took out around 12 deficiencies to reject the proposal in respect of the Petitioner.

3. Based upon our decision in Writ Petition No. 380/2026 dated 12.02.2026, now, on 03.03.2026, circular has been issued to all the Education Officers directing that reasonable opportunity should be given to remove the deficiencies and then the decision should be taken. At the cost of repetition, we would like to say that when it was specifically directed in Writ Petition No. 9048/2023 and reference of the said decision is there in the impugned order dated 09.10.2025, yet, the said order has not been passed without application of mind and therefore, we set aside the said order and relegate the matter again to Respondent No. 2. We make it clear that Respondent No. 2 should give a clear opportunity to the management and if found necessary, to the Petitioner also, to remove the defects either

mentioned in the impugned order dated 09.10.2025 or separately noted defects. After the response is received from the management and the Petitioner, as the case may be, within a reasonable time, then the decision be taken.

4. We would have imposed cost on the Education Officer for not considering the order passed by this Court in Writ Petition No. 9048/2023 dated 15.07.2025 in letter and spirit, however, we are pardoning Respondent No. 2 once. Respondent No. 2 should abide by the orders of this Court and also Circular dated 03.03.2026 whenever such proposals are scrutinised in future. The entire exercise of giving an opportunity to the management and the Petitioner for removal of defects as well as taking decision be completed within a period of six weeks from today.

5. In view of the aforesaid directions, writ petition stands disposed of.

( HITEN S. VENEGAVKAR )  
JUDGE

( SMT. VIBHA KANKANWADI )  
JUDGE

dyb