



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2815 OF 2026

Vishal s/o Govind Choudhari .. Petitioner

versus

The State of Maharashtra & others .. Respondents

Mr. T. M. Venjane, Advocate for the Petitioner.
Mr. R. S. Wani, AGP for the State.

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

DATE : 13th MARCH, 2026.

PER COURT :

1. Not on board. Taken on board.
2. This petition has been filed for following reliefs :-
 - “B) This Hon’ble court by issuing writ of certiorari or any other writ in the like nature, may kindly quash and set aside the impugned communication dated 20.11.2025 issued by the Education Officer (Secondary), Zilla Parishad, Nandurbar.
 - C) This Hon’ble court by issuing writ of mandamus or any other writ in the like nature may kindly direct the Education Officer (Secondary), Zilla Parishad, Nandurbar to grant approval to the appointment of the petitioner on the post of Shikshan Sevak, at the earliest

preferably within a period of 30 days from passing order by this Hon'ble Court.

D) This Hon'ble Court by issuing writ of mandamus or any other writ in the like nature, may kindly direct the respondent authorities to include name of the petitioner in Shalarth Pranali ID, at the earliest preferably within a period of 30 days from passing order by this Hon'ble Court.

3. Learned Advocate for the Petitioner submits that the documents at Serial Nos. 1 to 4 were submitted along with the proposal and as regards Point No. 5, he relies on the decision of this Court in Bhagyashri d/o Anandrao Chavan vs. The State of Maharashtra and others in **Writ Petition No. 15362/2025** decided on 29.01.2026 wherein after relying on the judgment in the case of Anjuman Ishaat-E-Taleem Trust vs. The State of Maharashtra & others, **2025 LiveLaw (SC) 861**, this Court has partly allowed the petition and relegated the matter to Respondent No. 4 in view of the fact that the institution in which the Petitioner is serving is a minority institution.

4. It is not clear as to whether the documents in respect of which defects were found were in the proposal itself or not. But the fact

remains is that there is certain document on record declaring the institution as minority institution. Though learned APP submits that it is not clear as to from which institute the Petitioner was claiming to be appointed, it can be said that if any doubt is created in the mind of the Education Officer, the Education Officer can call upon the management to inspect the things.

5. 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. We make it clear that the Education Officer (Secondary) 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 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. The Education Officer 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