



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 WRIT PETITION NO. 3071 OF 2026

KAPIL RAMCHANDRA BASWADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. V.S. Panpatte, Advocate for petitioner
Mr. S.B. Pulkundwar, AGP for respondent Nos.1 to 3

...

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

DATE : 22nd APRIL, 2026

ORDER :

. Present petition has been filed for following reliefs :

“(B) By a writ of certiorari or any other appropriate writ or order or direction in the like nature, the impugned order dated 30.05.2025 issued by respondent No.3 – Education Officer (Secondary), Parbhani may kindly be quashed and set aside.

(C) By a writ of mandamus or any other appropriate writ or order or direction in the like nature, respondent No.3 – Education Officer (Secondary), Parbhani may kindly be directed to grant approval to the appointment of the petitioner as Shikshan Sevak in respondent No.5 – school w.e.f. 01.07.2023 to 30.06.2026 and thereafter as Assistant Teacher in regular pay scale from 01.07.2026 onwards and release due and payable salary of the petitioner sanctioning Shalarth I.D. through respondent No.2 within a period

of four weeks.”

2 Heard learned Advocate for petitioner and learned AGP, who waives notice for respondent Nos.1 to 3. There is no necessity to issue notice to respondent Nos.4 and 5.

3 The petitioner states that he has been appointed as Shikshan Sevak with effect from 01.07.2023 and a proposal was submitted on 15.07.2023 for grant of approval to his appointment. However, the same has been rejected by respondent No.3 on the ground that though the Headmaster had sought permission to fill up the post; yet the appointment is against the rejection by respondent No.3's office. Certainly, the impugned order dated 30.05.2025 does not make a reference of the letter, whereby the permission was stated to have been rejected in writing. Under such circumstance, the AGP to take instructions in that respect and if at all there is such communication made by respondent No.3 to respondent Nos.4 and 5, then it should be produced. The further course would depend upon the said letter, if given by respondent No.3.

4 Place the matter for further consideration on 06.05.2026.

(AJIT B. KADETHANKAR, J.)
agd

(SMT. VIBHA KANKANWADI, J.)