IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8088 OF 2025

Vaishali Agatrao Jadhav. ...Petitioner.

Versus

The State of Maharashtra and Others. ...Respondents.

Mr. Sagar Mane, Rushikesh D. Jagadale and Neha A. Farakate for the Petitioner.
Mr. R. P. Kadam, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh & Neeraj P. Dhote, JJ.

Date : October 5, 2026.

P. C. :

1. By the present petition, order of 3rd April 2023 passed by the Education Officer rejecting the proposal seeking approval to the appointment of Petitioner to the post of assistant teacher has been impugned.

2. Mr. Sagar Mane, learned Counsel appearing for the Petitioner would submit that approval came to be rejected on the grounds that (1) roster has not been submitted; (2) that as of date, there was ban on recruitment and; (3) no explanation has been given for delay in submitting proposal. He would submit that insofar as the rejection on the Ground No.2 is concerned, the Petitioner has been appointed in the

year 2014 and the Education Officer has considered the Government Resolution of 4th May 2020 issued by the Finance Department imposing ban on recruitment. He would submit that insofar as Ground Nos. 1 and 3 are concerned, appropriate explanation will be submitted by the management.

3. Upon perusal of the impugned order, it appears that the Education Officer has taken into consideration Government Resolution dated 4th May 2020 whereas the appointment of Petitioner to the post of assistant teacher was of 1st July 2014. It would therefore be appropriate if the impugned order dated 3rd April 2023 is quashed and set aside and proposal is remitted to the file Education Officer, to be considered afresh. The Education Officer to take into consideration the fact that appointment of Petitioner is of the year 2014 and to ascertain whether at the time of appointment of Petitioner, there was ban on the recruitment. The Education Officer to examine the proposal afresh and in event there are any further deficiencies, the same be communicated to the management and give an opportunity to the management to cure those deficiencies. The Education Officer to also consider that the Petitioner has been appointed as assistant teacher for the subject of Science and the ban imposed by Government Resolution dated 2nd May 2012 does not apply where the appointment of teacher is made for the

subjects of English, Mathematics and Science. The entire exercise to be completed within a period of six weeks from today.

4. The Petition is disposed of in the above terms.

[Neeraj P. Dhote, J.] **[Sharmila U. Deshmukh, J.]**