

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 8890 OF 2025

Sagar Jaising Sonalkar And Ors ...Petitioners

VERSUS

The State Of Maharashtra Thr Principal
Secretary And Ors ...Respondents

WITH

WRIT PETITION NO. 2 OF 2026

Vinay Raghunath Bhoite And OrsPetitioner

VERSUS

The State Of Maharashtra Thr Principal
Secretary And Ors ...Respondents

WITH

WRIT PETITION NO. 8238 OF 2025

Ranjit Raghunath Patil And OrsPetitioner

VERSUS

The State Of Maharashtra Thru.
Secretary And OrsRespondents

...

Mr. Chetan Patil, Advocate for Petitioner

Mr. Vikas Mali, Mr. R. P. Kadam and Mr. Avinash Naik AGP for State

...

CORAM : NITIN B. SURYAWANSHI,
AND AJIT B. KADETHANKAR, JJ.

DATE : 16th JANUARY 2026.

P.C.

1. By these petitions, the petitioners challenge the order dated 20th May 2025 passed by the Education Officer, (Secondary), Zilla Parishad, Kolhapur thereby refusing the approval to the appointment of the petitioners on the post of peon.

2. Heard learned advocate for the petitioners, learned AGP for the State. Perused the record.

3. Admittedly, the petitioners were appointed by order dated 23rd June 2014 on the posts of peon. The approval is refused to the appointment of the petitioners on the ground that the petitioners are appointed while there was ban on fresh recruitment.

4. The issue raised by the petitioners is squarely covered by the decision of this Court (Coram: Sunil B. Shukre and G. A. Sanap, JJ.) dated 28th February 2022 in Writ Petition No. 5157 of 2021 passed at Principal Seat, wherein it is held that the Government Resolution dated 5th June 2010 by which a ban was imposed on the fresh recruitment was in force only for a period of one year and the appointment of the petitioners was on 1st January 2015. Therefore, it was held that the Government Resolution dated 5th June 2010 has no application to the appointment of the petitioner.

5. In that view of the matter, the impugned order cannot be sustained.

6. Writ Petitions are allowed. The impugned order dated 20th May 2025 passed by the Education Officer, (Secondary), Zilla Parishad, Kolhapur is hereby quashed and set aside.

7. Respondent no. 3 is directed to grant approval to the appointment of the petitioners i.e. Sagar Jaising Sonalkar, Vinay

Raghunath Bhoite and Ranjit Raghunath Patil in Petitioner No. 3 school with effect from 23rd June 2014 with all consequential benefits.

8. Petitioners' name be included in Shalarth Pranali and Shalarth Identity Card be issued to them.

9. Writ Petitions are disposed of on above terms.

(AJIT B. KADETHANKAR, J.)

(NITIN B. SURYAWANSHI, J.)