

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

WRIT PETITION NO.11629 OF 2025

Sagar Pandurang Kamble And Ors
VERSUS
State Of Maharashtra Thr Dept Of Education And Ors

Mr.Chetan G. Patil a/w. Ms.Siddheshwari R. Chavan a/w. Mr. Prathmesh P. Magadum i/b. Mr.Mandar G. Bagkar, for petitioners

Mr.V.M.Mali, AGP for respondents

**CORAM : R. G. AVACHAT &
AJIT B. KADETHANKAR, JJ.**

DATE : JANUARY 29, 2026.

ORDER :-

Mr.Chetan Patil, learned counsel appearing for the petitioners, would submit that the petitioner was in fact appointed as a non-teaching staff member in the respondent – school and lateron, was transferred as an Assistant Teacher. He would submit that despite that the respondent - Education Officer has granted approval as Shikshan Sevak on consolidated salary. He submits that the case of the petitioner is squarely covered by the decision in **Writ Petition 7706 of 2022 (Nagpur Bench) in the case of Suhas Rangraoji More Vs. State of Maharashtra decide don 21.12.2023**. He also places reliance on the order passed by this Court at Circuit Bench at Kolhapur

in **Dilip Rachandra Karande Vs. State of Maharashtra and ors.**

(Writ Petition NO.12827 of 2025), which reads thus:-

1. Vide order dated 3rd February 2025, the school management promoted the Petitioner from the post of peon to the post of Assistant Teacher with effect from 15th June 2023. Accordingly, a proposal seeking approval to the Petitioner's services came to be filed by the school management on 20th February 2025. Pertinent to note that proposal was filed seeking approval to the appointment of Petitioner as Assistant Teacher. However, vide order dated 15th September 2025, the Education Officer granted approval to the Petitioner's services as Shikshan Sevak. The Petitioner is aggrieved by such approval whereby Petitioner's pay has been fixed for 3 years on honorarium.

2. Now, the law is clear on this point. The case is squarely covered by the decision of this Court in Writ Petition No. 7706 of 2022 (Nagpur Bench) in the case of Suhas Rangraoji More vs. State of Maharashtra decided on 21 December 2023.

3. Learned AGP fairly admits the position.

4. Order dated 15th September 2025 granting approval to the Petitioner's appointment as Shikshan Sevak cannot be sustained. Accordingly, the same is quashed and set aside. The Education Officer shall issue corrected necessary approval to the appointment /promotion of Petitioner on the post of Assistant Teacher (by promotion) in the regular pay scale. Let this exercise be completed by the Education Officer within a period of 12 weeks from today.

5. Petition stands disposed of.

2. Mr.Mali, learned AGP would fairly agree that the impugned order should not have been passed in the style as it is and the approval ought to have been granted to the petitioner as Assistant Teacher.

3. In view of the above, the Writ Petition stands allowed. The impugned order dated 18.06.2025, passed by respondent no.3 – Education Officer (Secondary) is quashed. Respondent no.3 shall issue the correct approval order to the petitioner as an “Assistant Teacher” on regular basis, within a period of twelve weeks from the date of receipt of a copy of this order.

[AJIT B. KADETHANKAR, J.]

[R.G. AVACHAT, J.]

KBP