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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL WRIT PETITION NO.6206 OF 2024**

Kantilal s/o Jairam More and ors.Petitioners

Versus

The State of Maharashtra & ors.Respondents

Mr. Sanjeev B. Deore a/w Mr. Arman Ansari i/b. Ms. Suchita J. Pawar for the Petitioners.

Ms. Ashwin K. Kapadnis for Respondent Nos.4 and 5 (ZP Nashik).

Mr. P. P. Kakade, Addl. GP a/w Ms. Priyanka Chavan, AGP for the Respondent – State.

**CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.
DATE : 08th JANUARY, 2026**

P.C. :-

1. We have considered the strenuous submissions of the learned Advocate for the Petitioners, the learned Advocate for Respondent Nos.4 and 5, and the learned AGP on behalf of the State.

2. Respondent No.6 Management of the Institution, though served, has not caused an appearance.

3. What we find from the record is that these Petitioners are belonging to the Schedule Tribes category and have been

working as Assistant Teachers in their respective schools operated by Respondent No.6, from various dates between July, 2014 to July, 2016. A proposal for seeking approval is said to have been accepted by the Education Officer (primary) vide order dated 24th December, 2018, which is before us. However, the date of the proposal is blank.

4. The Petitioners submit that they do not have a copy of the said proposal. Be that as it may, approval was granted by the Education Officer (primary) on 24th December, 2018. The said proposal along with the approval order, was purportedly forwarded by the Education Officer (primary) vide communication dated 24th December 2018, to the Deputy Director (Education), Nashik, for allotment of Shalarth ID. Even in this communication, item no.2, is the reference letter pertaining to the proposal of the Petitioners for approval. At this place as well, the date of the proposal is blank. The outward number of the said communication dated 24th December, 2018 is “जिपाना / शिक्षण/ प्राथ- ८ / शालार्थ समाविष्ट / १८८९”.

5. The Deputy Director (Education) conveyed to the Education Officer (primary) by its communication dated 9th December 2021, that the Shalarth ID to the Petitioners was being

granted. In the reference documents, the proposal is referred to, but the date is blank. It is in this backdrop that Respondent No.5 informed the Deputy Director (Education) vide communication dated 27th April, 2023, that the proposal, entertained by the Deputy Director (Education), does not find any reference to the said proposal being routed through the Education Officer (primary). Hence, though the Shalarth ID is allocated to the Petitioners, the salaries have not been released.

6. In similar circumstance pertaining to the same Institution, in the case of *Nilambari Dhananjay Buchude Vs. Divisional Commissioner and ors.*, Writ Petition No.11615 of 2024, this Court ordered on 21st March 2025, that the Education officer shall scrutinize the proposal by way of a formality and forward the same to the Deputy Director (Education) for a decision on releasing the salaries of the Petitioners within six weeks.

5. In view of the above, **this Writ Petition is disposed off** with the following directions :-

- (a) The Education Officer shall scrutinize the file containing the proposal by the management for seeking approval to the appointments of the

Petitioners, only to assess as to whether the said proposal has any date, and as to why the date is missing whenever such proposal is adverted to by the State Education Officer (primary) / the Deputy Director (Education). A report would be tendered within three weeks from today to the Deputy Director (Education), Nashik, by the Education Officer (primary), Zilla Parishad, Nashik.

- (b) The Deputy Director Education shall verify from the documents and the records, and assess whether the Shalarth ID was appropriately allocated to these Petitioners. This exercise be completed within six weeks after receiving the report of the Education Officer (primary).
- (c) If all documents and orders of approval and grant of Shalarth ID, are found to be in order, the salaries of these Petitioners, inclusive of arrears, would be released within 30 days from such date of decision by the Deputy Director (Education).
- (d) If it is noticed that any fraud has been played, appropriate orders would be passed, and such orders be communicated to the Management. If the Management or the Petitioners are

aggrieved by the decision, they shall be at liberty to challenge the same, by availing of a remedy as may be permissible in law.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)