

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.16434 OF 2024

Sarika Jeevan PatilPetitioner

Versus

The State of Maharashtra & Ors.Respondents

WITH

WRIT PETITION NO. 16440 OF 2024

Gayatri Sachin SathePetitioner

Versus

The State of Maharashtra & Ors.Respondents

WITH

WRIT PETITION NO. 16439 OF 2024

Vaishali Sachin JagtapPetitioner

Versus

The State of Maharashtra & Ors.Respondents

Mr. Satish Raut, Advocate for the Petitioner in all the Petitions.

Ms. Pooja Joshi Deshpande, AGP for Respondent Nos.1 to 3 in WP/16434/2024.

Mr. S.P. Kamble, AGP for Respondent Nos.1 to 3-State in WP/16440/2024.

Ms. N.M. Mehra, AGP, for the Respondent-State in WP/16439/2024.

CORAM : RAVINDRA V. GHUGE &
ABHAY J. MANTRI, JJ.

DATE : 6th FEBRUARY, 2026

P.C. :-

1. An identical order has been passed in all these three matters for rejecting the proposal for seeking approval. One of the conditions is that the appointments were made de-hors the Pavitra Portal.

2. The learned AGP submits that this Court has delivered a Judgment in *Kum. Ratna Ramesh Salunke & Ors. V/s. the State of Maharashtra & Ors.*, in Writ Petition No.6949 of 2025, whereby the Management first has to file an Affidavit, declaring that the Pavitra Portal was inactive and, in the event the Pavitra Portal was active, whether a login ID was not allocated to the Management.

3. We have perused the impugned orders, which contain several other objections. The Education Officers, namely Shri. Kamlakant Mhetre and Shri. Bhausaheb Karekar, have passed the orders of rejection of the proposal, after raising objections and pointing out deficiencies, without granting an opportunity to the Management to cure the deficiencies or to explain away the objections. This position is undisputed.

4. In view of the above, the impugned orders are set aside, only for the purpose of facilitating a proper scrutiny and verification, in the light of the law laid down by this Court in ***Kum. Ratna Ramesh Salunke & Ors. (Supra)***. For the said purpose, all these **Writ Petitions are partly allowed**. The impugned orders are quashed and set aside, with the following directions :

(a) The Education Officer would issue a notice to the Management, calling upon it to remain present before his Office, with a clear seven days notice period.

(b) The Education Officer would mention in the notice, by way of a direction to the Management, to submit an Affidavit in each of these cases, declaring whether the Pavitra Portal was active when these Petitioners were appointed. If the Pavitra Portal was active, the Affidavit would also contain a statement as to whether the login ID was allocated to the Management.

(c) After the filing of the Affidavit in each of these cases by the Management, further scrutiny and verification would

be carried out by following the due procedure laid down in law and the dictum of this Court set out in *Kum. Ratna Ramesh Salunke & Ors. (Supra)*.

(d) If the Management co-operates in the said verification exercise in the light of the above directions, the Education Officer would pass an appropriate reasoned order on the proposals after completing such exercise, expeditiously.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)