

Digitally
signed by
VINA
ARVIND
KHADPE
Date:
2026.01.16
11:52:17
+0530

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL WRIT PETITION NO.13660 OF 2025

Balasaheb Shivaji DevmundePetitioner

Versus

The State of Maharashtra & ors.Respondents

WITH

CIVIL WRIT PETITION NO.13700 OF 2025

Atul Nandu JadhavPetitioner

Versus

The State of Maharashtra & ors.Respondents

WITH

CIVIL WRIT PETITION NO.16433 OF 2025

Vaibhav Shriram KopapkarPetitioner

Versus

The State of Maharashtra & ors.Respondents

Mr. Rahul S. Kadam a/w Mr. Vedant Babar for the Petitioners.

Ms. P. N. Diwan, AGP for the Respondent State in WP/13660/2025.

Mr. A. I. Patel, Addl. GP a/w Mr. V. B. Badgujar, AGP for the State
in WP/13700/2025 and WP/16433/2025.

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

DATE : 12th JANUARY, 2026

P.C. :-

1. In all these Petitions, after hearing the learned Advocate
for the Petitioners and the learned AGP on behalf of the respective

Respondents, the learned Advocate for the Petitioners requested that the Education Officer may initiate a detailed inquiry and pass an appropriate order while dealing with the proposal for appointment of the Petitioners.

2. The learned AGP points out from the record that there are some glaring aspects in this case. A single glance would create an impression that all these appointments are bogus appointments. He submits that in the event the Petitioners desire a detailed investigation and inquiry, the view taken by this Court vide its order dated 11th September, 2025 in *WP/11391/2024 and group of cases (Bhairavnath Charitable Trust Through Its Secretary and Ors. Vs. The State of Maharashtra Through the Secretary and ors.)*, especially the observations made by this Court in paragraphs 5 & 6, would be made applicable to these cases.

3. For the sake of brevity, we are reproducing paragraphs 5 and 6 of the order dated 11th September, 2025 in *Bhairavnath Charitable Trust* (supra), hereunder :-

5. *The Division Bench of this Court at the Aurangabad Bench has delivered a judgment in the case of Pramod Prabhakar Pokale v/s. State of Maharashtra and Others' concluding that*

once an approval is legally granted to the appointment of an employee, while entertaining a proposal for e.g. for transfer to the aided establishment or for any other reason including the reason for grant of Shalarth ID, the approval can not be cancelled. It is only when the department notices a glaring fraud in the authenticity of such approval order, that a particular procedure can be followed to deal with the situation.

6. *In view of the peculiar facts and circumstances discussed above, we find that it would be appropriate to direct the authority dealing with the proposals forwarded by the management with regard to these Petitioners, to verify the approvals granted to these Petitioners. The Education Officers, who have signed the orders issuing approvals in the Camps held by the department, shall also be called upon to make a statement as regards their signatures on the approval orders. It would be in the interest of justice that the management as well as the concerned employees are given an opportunity of personal hearing in order to find out whether the authenticity of approval orders could be questioned.”*

4. By way of example, we find that in the case of Balasaheb Shivaji Devmunde, the Shikshan Pramukh, Shikshan Mandal, Pune Municipal Corporation has issued a certificate to the Petitioner indicating that he is an Assistant Teacher and in order to receive training in the Sarva Shiksha Abhiyan, he was relieved from the duties on 9th March, 2013. The Petitioner claimed to have been

appointed as an Assistant Teacher on 13th June, 2014. The appointment order of the Petitioner placed before us is dated 13th June, 2014. The joining report is dated 16th June, 2014.

5. The Government seems to have granted 20% of Grant-in-Aid to the said Institution on 25th April, 2023 with effect from 1st January, 2023. However, the impugned order dated 4th September, 2025, does not carry reasons in justification of rejecting the proposal for 20% Grant-in-Aid. It is simply stated in the remark column that because the approval to the appointment of these Petitioners is not mentioned in the outward register, and there is no trace of the approval orders, the proposal cannot be entertained.

6. It is elementary that the selection process has to be scrupulously followed by the Management. A proper appointment order has to be issued by the competent Authority. The selection process should indicate that the selection and appointment has been done in adherence to the Rules and procedure applicable. The Education Officer has practically passed a single sentence order under the remarks column. It is only for this reason, that we are required to set aside the impugned order. Had it been a reasoned

order, it would have indicated that the concerned Authority had applied its mind and had appropriately assessed the proposals of each of the Petitioners.

7. For the purpose of enabling a detailed inquiry and a subjective assessment of each case, to be decided with a reasoned order, that we are interfering with the impugned order.

8. In view of the above, **this Writ Petition is partly allowed.** The impugned order is quashed and set aside. The proposals of these Petitioners is restored to the file of the Education Officer (secondary), Pune, Zilla Parishad.

9. We expect the Education Officer to reconsider the proposals of these Petitioners by advertng to the view taken by us in the above reproduced paragraphs 5 and 6 in ***Bhairavnath Charitable Trust*** (supra). Similarly, the Education Officer would consider the following aspects while passing an order on the proposals tendered by the Management :-

- (a) Whether the procedure required for carrying out selection or appointment was followed by

the Management.

- (b) Whether the advertisement was published in largely circulated newspapers.
- (c) Whether a legally constituted selection Committee conducted the interviews of all the candidates including these Petitioners.
- (d) On the basis of the subjective assessment, whether the Management has records to indicate that a proper selection process was followed while selecting and appointing the Petitioners.
- (e) In the event the Education Officer notices any infirmities or deficiencies, he would pass a reasoned order on each of the proposals of these three Petitioners.

10. After the above stated exercise is completed, preferably within a period of 60 days from today, a reasoned order would be passed by the Education Officer within 30 days thereafter, and the same would be communicated to the Management of the Trust as well as the Head Master of the School, expeditiously and preferably through an email. For the said purposes, the contesting Respondents shall tender their email addresses to the Education Officer for easy correspondence and service of orders on the Management as well as the School.

11. The **Writ Petitions are disposed off** in the above terms.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)