

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

WRIT PETITION NO. 12114 OF 2025

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Sumit Chandrakant Kale

... Petitioner

Versus

Deputy Director of Education Pune & Ors.

... Respondents

.....
Mr. Anant Vadgaonkar for the Petitioner.
Mr. R.P. Kadam, 'B' Panel Counsel for the Respondent – State.
.....

**Coram : M. S. Karnik &
Ajit B. Kadethankar, JJ.**

Date : December 19, 2025.

P. C. :

1. Heard learned counsel for the petitioner.
2. By this petition, the petitioner is challenging the cancellation of approval and rejection of proposal for Shalarth ID by the impugned order dated 6th September 2024 passed by the Deputy Director of Education.
3. The petitioner joined the services of the respondent No.4 – School Management as an Assistant Teacher on 1st September 2014 on non-grant basis. The appointment was approved by the Education

Officer on 13th January 2017. The petitioner's services were approved as an Assistant Teacher on grantable basis vide order dated 1st November 2021. On the basis of a complaint made by third person altogether, not concerned with the appointment of the petitioner, the approval granted to the petitioner's appointment as an Assistant Teacher came to be cancelled by the Deputy Director of Education. First question is whether the Deputy Director of Education has power to cancel the appointment as done in the present case in view of the law laid down by this court in ***Pratidnya Trimbakrao Chavan & Ors. Vs. State of Maharashtra & Ors.*** in Writ Petition No. 4893 of 2024 by the Aurangabad Bench of this Court vide order dated 6th August 2024.

4. The Learned AGP opposed the admission and grant of any interim relief, inviting our attention to the reasons in the impugned order. We are *prima facie* of the opinion that the Deputy Director of Education ought not to have entertained the complaint at the instance of a third party not concerned with the dispute. Moreover, we do find substance in the submission of the learned counsel for the petitioner that the Deputy Director has no power to cancel the approval, which has been granted by the Education Officer (Secondary). Thirdly, we fail to understand as to why the petitioner's service should be suspended on the basis of the order passed by the Deputy Director of

Education. The Deputy Director is concerned only with grant of Shalarth I.D. Hence, a case is made out for grant of interim relief. There shall be interim order in terms of prayer clauses (b) and (c).

5. The petitioner should be allowed to discharge his duties as an Assistant Teacher and Salary be continued to be paid accordingly as also the arrears of salary be given to the petitioner.

6. Issue notice to the respondents returnable on 10th March 2026.

7. Learned AGP waives notice on behalf of respondent Nos.1 and 7.

8. List on **10th March 2026.**

[Ajit B. Kadethankar, J.]

[M. S. Karnik]