



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

**WRIT PETITION NO. 11735 OF 2025  
WITH  
INTERIM APPLICATION NO. 173 OF 2026  
IN  
WRIT PETITION NO. 11735 OF 2025**

Sanjiv Sitaram More

...Applicant

IN THE MATTER BETWEEN

Sangita Suresh Sutar

...Petitioner

**Versus**

Education Officer (Secondary), Zilla Parishad And Ors ...Respondents

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*Mr. Prashant Bhavake (through VC), for the Applicant.  
Adv. I.M.Khairdi a/w Mr. Somnath Thengal, for the Petitioner.  
Mr. Santosh Jadhav, "B" Panel counsel, for the Respondent-State.*

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**Coram : SHARMILA U. DESHMUKH &  
NEERAJ P. DHOTE, JJ.**

**Date : SEPTEMBER 10, 2026**

**P. C. :**

1. At the outset, learned counsel for the Petitioner seeks leave to delete the name of the Education Officer. Leave is granted. Amendment to be carried out forthwith. Re-verification is dispensed with.
2. By the present Petition, the challenge is to the order dated 1<sup>st</sup> October, 2025, by which the decision on seniority was taken by the Education Officer without granting opportunity of hearing to the

Petitioner.

3. Learned counsel for the Petitioner points out the impugned order and would submit that no notice was issued to the Petitioner. He would further submit that the impugned order was passed without hearing the Petitioner, and the consequential actions taken by the management are required to be stayed. He would submit that as hearing has not been granted to the Petitioner, the impugned order be quashed and set aside, and the complaint be remitted to the file of the Education Officer to be decided afresh.

4. *Per contra*, Mr. Bhavake, learned counsel for the Respondent No. 3 would submit that the Petitioner was served with notice, however, has not appeared, and therefore, the Education Officer decided the seniority issue after hearing the Respondent No. 3. He would submit that subsequently, the Respondent No. 3 has been promoted, and that the interim order passed by this Court on 2<sup>nd</sup> December, 2025 directing not to issue appointment letter to the Respondent No. 3 as supervisor of the school is *non est*. He submits that as Respondent No. 3 has already been appointed, his appointment should not be disturbed.

5. We have perused the impugned order dated 1<sup>st</sup> October, 2025.

6. On a complaint dated 22<sup>nd</sup> September, 2025, the Education Officer has decided the seniority, by reason of which Respondent No. 3 was appointed as the supervisor of the school. Though, it is sought to be

contended that the Petitioner was duly served, we find no mention in the impugned order of any service of notice upon the Petitioner or any hearing being granted to the Petitioner.

7. As there is an apparent violation of the principles of natural justice, without going into the merits of the matter, we are inclined to quash and set aside the impugned order dated 1<sup>st</sup> October, 2025 and remit the issue to the Education Officer to be considered afresh after granting an opportunity of hearing to the Petitioner and Respondent No 3. The parties to appear before the Education Officer on 21<sup>st</sup> September, 2026 at 11:30 a.m. No further notice of the hearing to be given. The Education Officer to hear the parties and pass decision afresh expeditiously, and in any event, on or before 30<sup>th</sup> September, 2026.

8. Till the adjudication by the Education Officer, interim relief granted by this Court to continue.

9. The Petition is allowed in the above terms.

10. Interim Application does not survive for consideration and stands disposed of.

**[NEERAJ P. DHOTE, J.]**

**[SHARMILA U. DESHMUKH, J.]**