



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO. 5661 OF 2026

(Dhanashri w/o Vilasrao Tiwalkar & Ors. Vs. The State of Maharashtra & Ors.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S.V. Kulkarni, Counsel for the petitioners.
Mr. N.R. Patil, A.G.P for respondent nos. 1 to 4/State.

.....

CORAM : ANIL L. PANSARE AND
NIVEDITA P. MEHTA, JJ.
AUGUST 19, 2026

Heard.

2] The argument is that despite law laid down by this Court in *Rajan Sahadeo Ratul & Anr. Vs. The State of Maharashtra & Anr. [Writ Petition No. 1423/2021* decided on 3/7/2023], respondent no.4 has failed to accord approval to the appointments of the petitioners in terms of the proposal submitted by respondent no.5.

3] The learned A.G.P submits that the present matter pertains to the provisions of the Disability School Code, 2018 (for short "the Code"), and that appeal under Clause 75 has been provided for redressal of the grievance so put forth by the petitioners.

4] As against, the Counsel for the petitioners submits that the issue involved is covered by the provisions of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 (for short "MEPS"), and therefore, the judgment referred to in the petition and many such judgments will govern the field.

5] That being so, we are of the view that the petitioners should make up a mind as to whether their case is governed by the provisions of MEPS, and accordingly, approach the Grievance Committee as constituted vide order dated 16/6/2026 passed in Writ Petition No. 1775/2026. The said Committee was constituted for various reasons, one of which is that, the issue involved, though settled by various judgments of this Court and the Hon'ble Supreme Court, is not being given effect to by the Officers of the Education Department.

6] If the petitioners are of the view that the issue involved in the petition is covered by the provisions of the Code, they are at liberty to file appeal under Clause 75 thereof.

7] With the aforesaid observations, the petition is disposed of.

(JUDGE)

(JUDGE)

Sumit