

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5625 OF 2015

Vilas G. Patil and anr.

.. Petitioners

vs.

The State of Maharashtra and ors.

.. Respondents

Mr. N.V. Bandivadekar a/w. M.G. Bagkar i/b Mr. Sagar Mane for the
Petitioners.

Ms A.D. Vhatkar, AGP for Respondent Nos.1 and 2-State.

Mr. S.C. Naidu i/b Mr. Shaikh Nasir Martin for Respondent No.3.

CORAM : M. S. SONAK, J.

DATE : 21 JUNE 2016.

P.C. :-

1] Heard.

2] This petition is disposed of, on the basis of following order,
which is agreed by the petitioners and respondent No.3, who are
really contesting parties in this petition.

a] Without prejudice to the rights and contentions of either
parties, the impugned order dated 23 February 2015, made by
respondent No.2 herein (Exhibit-Q at page 57) is hereby set
aside;

b] Respondent No.3 has made representations dated 6 September 2013, 17 September 2014 and 8 October 2014 to the Regional Director, National Council for Teacher Education (NCTE), Bhopal in the matter of her grievances concerning both seniority as well as appointment to the post of Principal. In addition to these representations, respondent No.3 is granted liberty to make yet another representation, whether consolidated or not, within a period of fifteen days from today. Copies of all such representations to be furnished to the petitioners. The petitioners shall be at liberty to file their response to such representations within a period of fifteen days from the date of receipt of the same;

c] The Regional Director, Western Regional Committee, (NCTE), Manas Bhavan, Shyamla Hills, Bhopal (M.P.) is directed to hear the petitioners as well as respondent No.3 and to dispose of the aforesaid representations within a period of four months from today. The Regional Director to decide the matter, in accordance with law and on its own merits, without in any manner being influenced by the order dated 23 February 2015, which in any case has been set aside;

d] The Regional Director to communicate his decision within the aforesaid period to the parties. It is made clear that such representations shall have to be disposed of by the Regional Director himself and there shall be no delegation in this regard; and

e] Until the Regional Director disposes of the representations as aforesaid, Ms Kimaya Kadam, who is admittedly the senior-most Lecturer, shall continue to function as signing authority, particularly in the matter of salary and petty correspondence and such other matters.

3] This petition is disposed of in the aforesaid terms. There shall, however, be no order as to costs.

4] All concerned to act on the basis of authenticated copy of this order.

(M. S. SONAK, J.)