

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1249 OF 2015

(Kishor Dadaji Thakare and others vs. The State of Maharashtra and others)

WITH WRIT PETITION NO. 1461 OF 2015

(Manojkumar Vithoba Tembhurne and others vs. The State of Maharashtra and others)

WITH WRIT PETITION NO. 6273 OF 2014

(Siddharth Vishwanath Khobragade and others vs. The State of Maharashtra and others)

Office Notes, Office Memoranda of

Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri P.S. Kshirsagar, Advocate for petitioners.

Smt. K.S. Joshi, Assistant Government Pleader for
respondent nos.1 and 2.

Shri A.P. Thakare, Advocate for respondent nos.3
and 4 in W.P. No.6273/2014.

CORAM : B.P. DHARMADHIKARI AND
P.N. DESHMUKH, JJ.

DATED : MARCH 7, 2016

Heard for sometime.

The issue is covered by judgment of
Aurangabad Bench of Bombay High Court dated
9/5/2014 in Writ Petition No. 7106/2013. There certain
directions have been issued keeping in mind the
provisions of Right of Children to Free and Compulsory
Education Act, 2009.

The present petitions seek similar reliefs.
There are 52 petitioners in these three petitions before
this Court. Smt. Joshi, learned Assistant Government

Pleader for respondents, is seeking time to obtain instructions.

It is not in dispute that review petition filed before Aurangabad Bench is also rejected and the said order has attained finality. In this situation, the State Government is duty-bound to implement the directions issued at Aurangabad.

The impugned advertisement here is dated 21/8/2014. No recruitment in pursuance thereto could take place either in academic year 2014-15 or in the next academic year 2015-16. Thus, provisions of above mentioned R.T.E. Act insofar as number of Teachers is concerned may not have been complied with. However, we are not recording any conclusive finding in that respect.

Considering the fact that next academic year is due to start in June 2016, we find that interest of justice can be met with by directing State Government to take necessary steps and decision in terms of directions issued at Aurangabad in the judgment mentioned supra by 31/5/2016. With this direction, we dispose of all the three petitions. No costs.

JUDGE

JUDGE

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