

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

WRIT PETITION NO.2331 OF 2015

[Shri Kavi Kalidas Shikshan Sanstha, through its President, Nagardhan, Tah. Ramtek, District-Nagpur
and others .vs. State of Maharashtra and others]

with

WRIT PETITION NO.1340 OF 2015

[Shri Ratnadeep Vidya Prasarak Mandal, through its Secretary, Kamptee, District-Nagpur and others
.vs. State of Maharashtra and others]

with

WRIT PETITION NO.2422 OF 2015

[Shri Gajanan Maharaj Shikshan Sanstha, Marodi, through its Secretary, Marodi, Tah. Marodi, District-Nagpur and others .vs. State of Maharashtra and others]

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

Court's or Judge's orders

Shri Anand Parchure, Counsel with Shri Prashant Thakare, Counsel for the
petitioners,
Shri A.S. Fulzele, Additional Government Pleader with Shri Ambarish M.
Joshi, Assistant Government Pleader for the respondents-State.

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CORAM : SMT. VASANTI A. NAIK AND
A.S. CHANDURKAR, JJ.

DATED : FEBRUARY 29, 2016.

Since the issue involved in these petitions is identical and similar prayers are made therein, they are heard together and are decided by this common order.

By these petitions, the petitioners have challenged the Government Resolution, dated 13.12.2013, Clause 1.8 of the Government Resolution, dated 2.5.2012 and the communication by which the staffing pattern for the year 2013-14 was fixed.

Shri Fulzele, the learned Additional Government Pleader and Shri Joshi, the learned Assistant Government Pleader appearing on behalf of the respondents, state that the issue involved in these cases was decided by the Division Bench at the

principal seat by the judgment dated 15.12.2015 in a bunch of writ petitions bearing Writ Petition No.9026/2014, against the petitioners. It is stated that the constitutional validity of the schedule under the Right of Children to Free and Compulsory Education Act, 2009 is upheld and it is held that there cannot be any interference in the state education policy including Government Resolutions dated 13.12.2013, 26.8.2015 and all the related circulars, letters, orders etc. It is stated that the services of the surplus permanent teachers including the Head Masters are protected to the extent stated in the said judgment. It is stated that the Government is directed to re-evaluate the education policy from time to time and implement the same in accordance with law. It is stated that similar orders may be passed in these writ petitions also.

Shri Parchure, the learned counsel for the petitioners, states that the State Government has not framed the education policy after the judgment dated 15.12.2015 in Writ Petition No.9026/2014. It is stated that the petitioners would take appropriate steps if the Government frames the policy against the petitioners.

Since the issue involved in these writ petitions stands answered against the petitioners by the judgment dated 15.12.2015 in Writ Petition No.9026/2014, for the reasons recorded in the said judgment, we dispose of the writ petitions on the same terms, with no order as to costs.

JUDGE

JUDGE