

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3211/2016

(GHANSHYAM VITTHALRAO PATIL & OTHERS **VERSUS** THE STATE OF MAHARASHTRA &
OTHERS)

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

Court's or Judge's orders

Shri P.S. Kshirsagar, counsel for the petitioners.
Shri D.P. Thakre, Additional G.P. for the R-1 & 2.
Shri Sk. Majid, counsel for the R-3 & 4.

CORAM : SMT.VASANTI A NAIK AND
MRS. SWAPNA JOSHI, JJ.

DATE : AUGUST 02, 2016.

By this writ petition, the petitioners seek a direction to the Zilla Parishad, Nagpur to protect the services of the petitioners on the posts of Headmasters, in view of the Government Resolution, dated 27.05.2016 till they attain the age of retirement.

Shri Majid, the learned counsel for the respondent-Zilla Parishad, has tendered an affidavit-in-reply in the Court, today. The same is accepted on record. It is stated in the affidavit-in-reply that in view of the reduction of the strength of the students, the posts of Headmaster are declared surplus and only 26 petitioners-Headmasters could be retained on the posts of Headmaster and others would be required to work as Assistant Teachers. It is stated that the pay of the surplus petitioners would, however, be protected.

In view of the statements made on behalf of the respondent-Zilla Parishad, a direction cannot be issued to the Zilla Parishad to permit all the petitioners to work on the posts of Headmasters, till their date of retirement. Since the posts of Headmasters are reduced due to the decrease in the strength of the students in the schools, it would be necessary for the Zilla

Parishad to declare some Headmasters as surplus. Only 26 petitioners out of 54 petitioners could be retained as Headmasters as per their seniority, in the schools, where they are working and the other petitioners-Headmasters would be required to work on the post of Assistant Teachers. As the pay of the petitioners is protected in view of the Government Resolution, the petitioners that are reverted in view of the declaration of surplus posts, should have no grievance.

Hence, by accepting the statement made on behalf of the Zilla Parishad, we dispose of the writ petition with no order as to costs.

JUDGE

JUDGE

APTE

CERTIFICATE

I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.

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