

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

CAW NO. 955/2016 AND WRIT PETITION NO. 5245 OF 2012

(Shri P.G. Sakhre & Ors. vs. State of Maharashtra, Department of School (Primary) thr. its
Principal Secretary & Ors.)

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

Court's or Judge's orders.

**CORAM : B.P. DHARMADHIKARI &
KUM. INDIRA JAIN, JJ.
JUNE 22, 2016.**

CAW NO. 955 OF 2016

Heard Mrs. U.A. Patil, learned counsel for the applicants/ petitioners, Shri N.R. Patil, learned AGP for respondent No. 1 and Shri Sachin Zoting, learned counsel for respondent Nos. 2 & 3.

As the respective counsel are ready and willing to argue the matter finally, the prayer is granted. The order dated 23.03.2016 is recalled and Writ Petition No. 5245 of 2012 is restored back to file.

Civil Application is disposed of accordingly.

WRIT PETITION NO. 5245 OF 2012

Heard Mrs. U.A. Patil, learned counsel for the petitioners, Shri N.R. Patil, learned AGP for respondent No. 1 and Shri Sachin Zoting, learned counsel for respondent Nos. 2 & 3.

The prayer in writ petition is to quash and set

aside the seniority lists prepared by Respondent Nos. 2 & 3 – Zilla Parishad, for granting benefit of Higher pay-scale of Rs.5500-9000 right from 2001 to 2011 and to prepare a fresh seniority list of the Assistant Teachers working in Primary Schools teaching Standards I to VII on the basis of date of acquisition of B.Ed. qualification.

It is not in dispute that Writ Petition No. 4183 of 2015 (*Yashwant Bhiwaji Shende vs. State of Maharashtra & Ors.*) has been disposed of by this Court on 20.04.2016 and there, after hearing the respective counsel, Respondent No. 2 – Zilla Parishad, Gadchiroli, has been asked to undertake the exercise of drawing seniority list in accordance with law and to complete it within a period of 3½ months from that day.

In this situation, it is apparent that the challenge in present writ petition is rendered infructuous. It is accordingly disposed of by keeping all rival contentions open. No order as to costs.

JUDGE

JUDGE

*GS.