

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.10910 OF 2016

Padmaja Shankarrao Dandwate @ Padmaja Mohan Shinde	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

WITH

WRIT PETITION NO.12863 OF 2016

Ananda Maruti Prabhu	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

WITH

WRIT PETITION NO.13116 OF 2016

Sachin Kashinath Kamble	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

WITH

WRIT PETITION NO.2906 OF 2017

Vaishali Rahul Kamte	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

WITH

WRIT PETITION NO.10920 OF 2016

Maruti Subhash Sutar and Ors.	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

WITH

WRIT PETITION NO.10915 OF 2016

Dattatraya Parashram Kadam & Ors.	..Petitioner
Vs.	
State of Maharashtra & Ors.	..Respondents

WITH

WRIT PETITION NO.11864 OF 2016

Nitin Annasaheb Devane	..Petitioner
------------------------	--------------

Vs.
State of Maharashtra through Dept. of
Education and Ors. ..Respondents

WITH
WRIT PETITION NO.12295 OF 2016
Amruta Keshavrao Jadhav & Ors. ..Petitioner
Vs.
State of Maharashtra & Anr. ..Respondents

WITH
WRIT PETITION NO.12306 OF 2016
Maruti Dattatray Patil & Ors. ..Petitioners
Vs.
State of Maharashtra & Anr. ..Respondents

WITH
WRIT PETITION NO.12435 OF 2016
Ajay Yashwant Valvi and Ors. ..Petitioners
Vs.
State of Maharashtra & Ors. ..Respondents

WITH
WRIT PETITION NO.13268 OF 2016
Vaibhav Maruti Ghatge ..Petitioner
Vs.
State of Maharashtra through Dept. of Education
& Ors. ..Respondents

WITH
WRIT PETITION NO.13273 OF 2016
Kavita Dipak Kumbhar ..Petitioner
Vs.
State of Maharashtra through Dept. of
Education & Ors. ..Respondents

WITH
WRIT PETITION NO.29537 OF 2016
Suraj Shrimant Sawant ..Petitioner
Vs.
State of Maharashtra & Anr. ..Respondents

Mr. Chetan G. Patil for the Petitioners in all the Writ Petitions and Writ Petition No. 2078/2017.

Mr. V. N. Sagare, AGP for the Respondent Nos.1 and 2 in Writ Petition Nos.10910/2016, 2906/2017, 12863/2016, 2078/2017 and 13116/2016.

Mr. Bhupesh V. Samant, AGP for the Respondent Nos.1 and 2 in Writ Petition Nos.10920/2016, 11864/2016,12306/2016, 13268/2016, 10915/2016, 12295/2016, 12435/2016, 13273/2016 and WPST No.29537/2016.

Ms. Geetanjali Koli i/b Mr. A. M. Savagave for the Respondent No.3 in WP No.10910/2016, for the Respondent Nos.3 and 4 in WP No.10920/2016 and for the Respondent No.3 in WP No.10915/2016.

**CORAM: B. R. GAVAI AND
RIYAZ I. CHAGLA, JJ.**

DATE: 2nd AUGUST 2017

P.C. :

. The learned counsel for the Petitioner seeks liberty to withdraw the Petitions, insofar as the Petitioner No.3 in Writ Petition No.10920/2016, the Petitioner No.2 in Writ Petition No.10915/2016, the Petitioner Nos.2 and 3 in Writ Petition No.12435/2016 and the Petitioner No.1 in 12306/2016 with liberty to file Petition afresh. The Petition stands disposed of insofar as the aforesaid Petitioners are concerned with liberty as prayed for.

2. Rule. Rule is made returnable forthwith. Learned AGP waives service. By consent of parties, the Petitions are taken up for final hearing.

3. This Court in a bunch of Petitions along with companion Petitions vide judgment and order dated 10/7/2017 has held that the following categories of teachers are not governed by the GR dated 2/5/2012.

(a) Where the recruitment process is already commenced prior to GR dated 2/5/2012;

- (b) Where the appointments made for filling up vacancies in English, Mathematics and Science;
- (c) Where the recruitment is made to fulfill the backlog of reserve categories candidates;

4. In that view of the matter we pass the following order:

- i) The Writ Petitions are allowed and impugned orders are quashed and set aside. The Respondents-Education Officers are directed to examine independent cases and grant approval to each of the teachers who fall in the following three categories:
 - (a) Where the recruitment process is already commenced prior to GR dated 2/5/2012;
 - (b) Where the appointments made for filling up vacancies in English, Mathematics and Science;
 - (c) Where the recruitment is made to fulfill the backlog of reserve categories candidates;
- (ii) The necessary orders after hearing the management and teachers be passed within a period of six weeks from today;
- (iii) Needless to state that upon grant of approval necessary steps be taken for paying salary to such of the teachers who are found eligible and salaries would be paid to them within a period of 12 weeks from today.

(RIYAZ I. CHAGLA, J.)

(B. R. GAVAI, J.)