

BDPSPS

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

WRIT PETITION NO.10702 OF 2017

Sunil Ramchandra Karpal	..Petitioner
Versus	
The State of Maharashtra	
Through the Secretary, Education	
Department, Mantralaya,	
Mumbai 400 032 and others	..Respondents

**ALONGWITH
WRIT PETITION NO.10703 OF 2017**

Shantaram Laxman Pagi	..Petitioner
Versus	
The State of Maharashtra	
Through the Secretary, Education	
Department, Mantralaya,	
Mumbai 400 032 and others	..Respondents

**ALONGWITH
WRIT PETITION NO.10704 OF 2017**

Sunil Balu Wagh	..Petitioner
Versus	
The State of Maharashtra	
Through the Secretary, Education	
Department, Mantralaya,	
Mumbai 400 032 and others	..Respondents

Mr. Sanjiv A. Sawant for the Petitioner in all the above Writ Petitions.

Mrs. Rupali M. Shinde, AGP for Respondent Nos.1 to 3 in all the above Writ Petitions.

Mr. S. P. Thorat for Respondent Nos.4 and 5 – Zilla Parishad in all the above Writ Petitions.

**CORAM: B. R. GAVAI &
SANDEEP K. SHINDE, JJ.**

DATE: 22nd November, 2017

P.C.:-

1] Rule. Rule is made returnable forthwith. Respondents waive service. Heard by consent of parties.

2] Petitioners, who were working as Voluntary Teachers, have approached this Court for a declaration that they are entitled to the benefit of the Government Resolutions dated 31st July, 2009 and 1st March, 2014 and for directions to Respondent – Zilla Parishad to appoint the Petitioners as Teachers in accordance with the guidelines laid down in the said Government Resolutions.

3] The issue is no more *res integra* and is covered by the judgment of Aurangabad Bench of this Court dated 13/10/2010 in Writ Petition No.2254 of 2010 along with companion matters.

4] Mr. Thorat, learned Counsel appearing on behalf of Respondent – Zilla Parishad, also fairly does not dispute the legal position. He, however, submits that while considering the claim of individual Petitioners, it will be necessary that the cases of individuals are

considered independently, as to whether they possess requisite eligibility or not.

5] In that view of the matter, Petitions are disposed of in the following terms:-

(i) Petitioners are directed to submit necessary documents in their possession to find out their eligibility, to Respondent No.3/4 within a period of two weeks from today.

(ii) Respondent – Zilla Parishad shall consider the documents submitted by the Petitioners and take decision after considering the cases of the Petitioners in accordance with the Government Resolutions dated 31st July, 2009 and 1st March, 2014.

(SANDEEP K. SHINDE, J.)

(B. R. GAVAI, J.)