

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION [STAMP] NO.14246 OF 2017

Jadhav Rajendra Mahadev & Others Petitioners
Vs.
State of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.12787 OF 2017

Smt. Khandave Mangal Anil & Others Petitioners
Vs.
State of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.12789 OF 2017

Katke Suresh Kisan & Others Petitioners
Vs.
State of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.12791 OF 2017

Pawar Dattatray Tukaram & Others Petitioners
Vs.
State of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.14247 OF 2017

Zambare Pravin Suresh & Others Petitioners

Vs.

State of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.22564 OF 2017

Vasant Daga Borse & Others Petitioners

Vs.

The Government of Maharashtra & Others Respondents

Mr. S.S. Pakale with Ms Manisha Devkar i/by
Mr. Shankar Maruti Katkar for the Petitioners.
Mr. B.V. Samant, AGP, for the Respondent-State.
Mr. Nitin P. Deshpande for Respondent No.3 and
for Respondent No.5 in WPST-22564/2017.
Mr. Yuvraj D. Patil with Mr. Vishwanath Patil for
Respondent Nos.6 & 7.

AND

WRIT PETITION [STAMP] NO.17854 OF 2017

Subhash Hira Bhopi & Others Petitioners

Vs.

The Government of Maharashtra & Others Respondents

Mr. S.S. Pakale with Ms Manisha Devkar i/by
Mr. Shankar Maruti Katkar for the Petitioners.

Ms Neha Bhide with Mr. P.P. More, AGPs, for
Respondent Nos.1 to 4.

Mr. Chidambar G. Gavnekar with Mr. G.S. Hiranandani
& Mr. Suhas Deokar for Respondent Nos.5, 6 & 7.

Mr. Milind S. Prabhune h/f Mr. Sarang S. Aradhye
for Respondent Nos.8 & 9.

AND

WRIT PETITION [STAMP] NO.24373 OF 2017

Swabhimani Shikshak Sanghatana & Others Petitioners

Vs.

The Government of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.21363 OF 2017

Baramati Taluka Prathamik Shikshak
Sangh & Others

.... Petitioners

Vs.

The Government of Maharashtra & Others Respondents

WITH

WRIT PETITION [STAMP] NO.24588 OF 2017

Sanjay Laxman Gaikwad & Others

.... Petitioners

Vs.

The Government of Maharashtra & Others Respondents

Mr. S.S. Pakale with Ms Manisha Devkar i/by

Mr. Shankar Maruti Katkar for the Petitioners.

Ms Neha Bhide with Mr. P.P. More, AGPs, for the

Respondent-State.

Mr. Shankar P. Thorat for Respondent Nos.5 & 6.

Mr. K.K. Kathait h/f Mr. B.D. Joshi for Respondent Nos.8 & 9 in WPST-24588/2017.

Mr. Omkar Amberkar & Mr. Swapnil S. Mohite i/by Mr. S.R. Nargolkar for Respondent Nos.8 & 9 in WPST-21363/2017.

Mr. Nitin P. Deshpande for Respondent No.5 in WPST-21363/2017.

CORAM: S.C. DHARMADHIKARI &
SMT. BHARATI H. DANGRE, JJ.

DATE : OCTOBER 13, 2017

P.C:

1. Leave to amend. Mr. Pakale, appearing for the petitioners, states that the amendment will be carried out by 3-11-2017 but the petitions be taken up after 10-11-2017, for admission.

2. Though the application for adjournment is not opposed by the contesting respondents, their request is that the order passed on 16-5-2017 by a Vacation Bench brings everything to a standstill. That order directs the respondents to maintain status quo as it existed on 16-5-2017 in respect of

positing of the petitioners. As that order has been continuing, the orders of posting and transfer could not be implemented.

3. Having heard both sides on this limited point, we are of the opinion that there is merit in the contention of the respondents. Such a blanket order and directing maintenance of status quo indeed results in a standstill. Hence, we modify it with an opportunity being granted to the petitioners to even now forward their options for being posted in the near-by schools. Mr. Pakale submits that there are about 70-72 functional Zilla Parishad Primary Schools and which are under the Zilla Parishad, Pune. The petitioners may be posted in any of them.

4. Since we are vacating the order of status quo, we grant this liberty to the petitioners to forward their option form/letters and if they are so forwarded within ten days from today, the respondents and rather the Chief Executive Officer of the Zilla Parishad, Pune as also the Education Officer (Primary) of that Zilla Parishad to sympathetically consider these options

and post the petitioners without causing any inconvenience to others and without disrupting the policy, in the near-by schools.

5. Stand over to **13-11-2017**.

(SMT. BHARATI H. DANGRE, J.)

(S.C. DHARMADHIKARI, J.)