

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

**WRIT PETITION NO. 1489 OF 2013**

1 Ranwad Parisar Vikas Pratishthan,  
through Chairman, & Ors. ... Petitioners

Vs

1 The Education Officer (Secondary)  
Zilla Parishad Nashik & Ors. ... Respondents

**WITH  
WRIT PETITION NO. 1490 OF 2013**

Shri Bharat Dattatraya Pagar ... Petitioners

Vs

1 The Education Officer (Secondary)  
Zilla Parishad Nashik & Ors. ... Respondents

Mr. P.B. Shah for the Petitioner in WP No.1489 of 2013.

Mr. Anil Kumar Patil for the Petitioner in WP No.1490 of 2013.

Ms. Shruti D. Vyas, 'B' Panel Counsel for the Respondent Nos.1 to 3-State in both the petitions.

Ms. Avanti Inamdar h/f Rameshwar Gite for the Respondent No.4 in WP No. 1489 of 2013.

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

**MONDAY, 19TH NOVEMBER, 2018**

**P.C. :**

1           Writ Petition No.1489 of 2013 is filed by two petitioners. The petitioners before this Court are Educational Institutions / Managements. They are seeking a direction to the respondent No.1 to grant approval to the appointment of one Bharat Dattatraya Pagar as Headmaster of Shri Chhatrapati Shivaji Maharaj Secondary and Higher Secondary School, situate in Niphad Taluka of District Nashik. A proposal to grant such approval with effect from 2<sup>nd</sup> February, 2013, was forwarded on 5<sup>th</sup> February, 2013. Since that was disallowed or rejected by the order of 5<sup>th</sup> November, 2012, the present petition was filed.

2           It is common ground that during the pendency of this writ petition, the Management's proposal has been accepted and now Mr. Pagar has been designated as the Headmaster.

3           Mr. Pagar has filed the companion Writ Petition No. 1490 of 2013, claiming the same relief. It is now conceded by Mr. Pagar also that the approval has been granted. However, Mr. Pagar has some grievance and subsisting. That is how we are of the firm opinion that the Management need not be concerned

with the issue or controversy as between the Government and Mr. Pagar or another teacher. The Management's Writ Petition No. 1489 of 2013 does not survive. It is disposed of by clarifying that such disposal shall not prejudice the case of either Mr. Pagar or the added teacher in Writ Petition No.1489 of 2013. Keeping such issue and controversy alive so also all contentions therein, we dispose of Writ Petition No. 1489 of 2013.

4           As far as Writ Petition No.1490 of 2013 is concerned, Mr. Patil seeks adjournment on the ground that all the subsequent developments will have to be placed on record and the petition would be required to be amended. At the request of Mr. Patil, we adjourn this petition by two weeks. It shall appear on the Supplementary Board on 5<sup>th</sup> December, 2018, prior to which date, all the requisite steps as desired by Mr. Patil, appearing for the petitioner in Writ Petition No.1490 of 2013, should be taken.

*SMT. BHARATI H. DANGRE, J.*

*S.C. DHARMADHIKARI, J.*