

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

WRIT PETITION NO. 13106 OF 2018

Bhagyashree Sahebrao Deore ... Petitioner

Vs

1 The Zilla Parishad, Nashik & Ors. ... Respondents

**WITH
WRIT PETITION NO. 11334 OF 2018**

1 Bhagyashree Sahebrao Deore & Ors. ... Petitioners

Vs

1 The Zilla Parishad, Nashik & Ors. ... Respondents

**WITH
CIVIL APPLICATION (ST) NO. 33059 OF 2018
IN
WRIT PETITION NO. 11334 OF 2018**

Mr. Anilkumkar K. Patil with Mr. Jitendra Gaikwad for the Petitioners.

Mrs. R.M. Shinde, AGP, for the Respondent-State.

Mr. A.R. Kapadnis for the Respondent No.1.

Mr. Pradeep Gole for the Intervenor.

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

TUESDAY, 27TH NOVEMBER, 2018

P.C. :

1 After having heard these petitions at some length and bringing to the notice of the learned advocate Mr. Kapadnis appearing on behalf of the Zilla Parishad the deficiencies and defects in the impugned order, on taking instructions from the Education Officer (Primary), Zilla Parishad, Nashik, as also the Deputy Chief Executive Officer of the Nashik Zilla Parishad, Mr. Kapadnis states that the orders impugned in the petitions would be withdrawn. However, as far as the first petition is concerned, the Zilla Parishad through the Chief Executive Officers, reserves liberty to initiate fresh inquiry and to conclude it in accordance with law.

2 We accept the statements made by Mr. Kapadnis, on instructions, as undertakings to this Court. Since the impugned orders are withdrawn with liberty reserved as above, these petitions can be disposed of.

3 The petitioner says that she has filed the second petition to seek consequential relief. Since the disciplinary action against her is set aside and quashed because of the order passed

in the first petition, she should be brought back to the school from where she was shifted. Mr. Patil, learned counsel appearing for the petitioners in the other petition says that the petitioner No.1 would be ready and willing to teach in any of the Zilla Parishad Schools in Satana Taluka. The institutions have also been identified by her.

4 On instructions, Mr. Kapadnis states that the officials will take an appropriate decision to accommodate the petitioner – Bhagyashree in either of these schools in Satana Taluka whereas the other aggrieved petitioner Mr. Rahul Anjansingh Pardeshi will be accommodated in any other of the three schools. They will do so either in Satana or in Igatpuri Taluka within a period of two (2) weeks from today. We accept this statement as well, as an undertaking to this Court.

5 Both the petitions, accordingly, stand disposed of.

SMT. BHARATI H. DANGRE, J.

S.C. DHARMADHIKARI, J.