

IN THE HIGH COURT OF JUDICATURE AT BOMBAYNAGPUR BENCH : NAGPUR**WRIT PETITION NO. 2980 OF 2016.**

(Ashok Baliramji Vaidhya & others .vs. The State of Maharashtra & others)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's orders

Mr. P.S. Kshirsagar, Advocate for petitioners,
Mr. S.A. Ashirgade, A.G.P. for respondent nos. 1 & 2,
Mr. N. Almelkar, Advocate for respondent nos. 3 & 4.

CORAM : B.P. DHARMADHIKARI & MRS. SWAPNA S. JOSHI, JJ.

DATED : FEBRUARY 6, 2018.

1] Mr. P.S. Kshirsagar, learned Advocate for petitioners, submits that in identical challenge in Writ Petition No. 6117/16 on 19.1.2018 this Bench has directed State Government to hear petitioner Headmasters or their representative and to take suitable decision on their grievances within next three months.

2] He points out that in Writ Petition No. 6117/16 concerned Headmasters were already reverted while in present matter because of interim orders granted by this Court on 24.5.2016 petitioners are still continuing as Headmasters.

3] Mr. S.A. Ashirgade, learned A.G.P. for respondent nos. 1 & 2 and Mr. N. Almelkar, learned Advocate for respondent nos. 3 & 4, submit that since interim orders are operating, the matter should be decided by this Court. Mr. N. Almelkar, learned Advocate is also seeking time to verify facts in Writ Petition No. 6117/16.

4] However, in this situation, as the issue pertains to policy and State Government has to decide policy for implementation on

uniform basis, we find that interest of justice can be met by subjecting fate of present petitioners also to outcome of exercise as ordered in Writ Petition No. 6117/16.

5] Accordingly, we hold that directions contained in order dated 19.1.2018 shall also apply and hold good in present petition. Thus, petitioners or their representatives shall be heard and suitable decision shall be taken by State Government as already directed in order dated 19.1.2018 (supra).

6] However, here as petitioners are having interim order in their favour since 24.5.2016, we continue that interim order till completion of said exercise. However, it shall be subject to outcome of such exercise.

7] With these directions, we partly allow Writ Petition and dispose it of.

Judge

Judge

J.