

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

WRIT PETITION NO. 482 OF 2018

Shri. More Shankar Bapu ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH

WRIT PETITION NO. 134 OF 2018

Shri. Ambi Sharad Shankar ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH

WRIT PETITION NO. 137 OF 2018

Shri. Patil Sayaji Nanaso ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH

WRIT PETITION NO. 139 OF 2018

Shri. Kalbhor Raju Gulabrao ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH

WRIT PETITION NO. 140 OF 2018

Shri. Koli Nandu Digamber ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH

WRIT PETITION NO. 141 OF 2018

Shri. Lokare Rajaram Agatrao ... Petitioner.

Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO. 142 OF 2018

Shri. Teli Mahadev Mallappa ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO.468 OF 2018

Shri. Kadam Santosh Tanaji ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.469 OF 2018

Shri. Vhanagade Vishwas Ananda ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.470 OF 2018

Shri. Kondubahiri Mahesh Janardhan ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.471 OF 2018

Shri. Lahire Sanjay Bhagwan ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.472 OF 2018

Smt. Ghadge Sunita Tanaji ... Petitioner

Versus
The State of Maharashtra and others ... Respondents

**WITH
WRIT PETITION NO.473 OF 2018**

Smt. Shinde Pratima Shankar ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

**WITH
WRIT PETITION NO.474 OF 2018**

Shri. Sawant Ajit Bandu ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

**WITH
WRIT PETITION NO.477 OF 2018**

Shri. Masal Prakash Dadaso ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

**WITH
WRIT PETITION NO.478 OF 2018**

Shri. Kale Sachin Tulsiram @ Tulsidas ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

**WITH
WRIT PETITION NO.479 OF 2018**

Smt. Aphale Rajashree Tulsidas ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

**WITH
WRIT PETITION NO.480 OF 2018**

Shri. Madane Santosh Dadasaheb ... Petitioner

Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.483 OF 2018

Mrs. Bankhele Neeta Shantaram ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.484 OF 2018

Smt. Shinde Janabai Khandu ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.853 OF 2018

Shri. Vijay Janardhan Shendage ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.854 OF 2018

Shri. Sagar Pandurang Belapurkar ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.856 OF 2018

Shri. Dilip Namdeo Kate ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.857 OF 2018

Shri. Rajendra Manikarao Wagh ... Petitioner

Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.859 OF 2018

Shri. Ashok Ramchandra Chavan ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.861 OF 2018

Smt. Manda Bapu Trimbak ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.862 OF 2018

Shri. Sangram Ramkrishna Gotal ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.863 OF 2018

Shri. Popat Dattu Shinde ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.865 OF 2018

Shri. Bagwan Tayarashagufta Iqbal ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.4290 OF 2018

Shri. Birudeo Bhajandas Kokare ... Petitioner

Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10927 OF 2018

Smt. Suvarna Pandurang More ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10928 OF 2018

Smt. Shubhangi Kisan More ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10929 OF 2018

Shri. Vijaykumar Vasantrao Pawar ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10936 OF 2018

Shri. Jitendra Ramchandra Chaudhari ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10938 OF 2018

Shri. Sachin Raghunath Patil ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10940 OF 2018

Smt. Vandana Subrao Shivankar ... Petitioner

Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.10942 OF 2018

Shri. Sanjivkumar Baburao Babar ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.13623 OF 2017

Shri. Sudhir Sarjerao Salunkhe ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.13624 OF 2017

Shri. Ashokumar Ganpatrao Kumbhar ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.13625 OF 2017

Smt. Swati Hanmant Bhilare ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.13626 OF 2017

Shri. Ravindra Shankar Desai ... Petitioner
Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO.13628 OF 2017

Smt. Asha Rohidas Yele ... Petitioner

Versus
The State of Maharashtra and others ... Respondents

WITH
WRIT PETITION NO. 138 OF 2018

Shri. Mhatre Vikas Bhivaba ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO. 860 OF 2018

Shri. Patole Bharat Dhondiram ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO. 858 OF 2018

Smt. Sandhya Gulabrao Gaikwad ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO. 475 OF 2018

Mrs. Jayshree Babasaheb Shendage ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO. 864 OF 2018

Smt. Rambha Sukhdeo Gangarde ... Petitioner.
Versus
The State of Maharashtra and others ... Respondents.

WITH
WRIT PETITION NO. 476 OF 2018

Shri Sabane Prakash Ravan ... Petitioner.
 Versus
 The State of Maharashtra and others ... Respondents.

**WITH
 WRIT PETITION NO. 1533 OF 2019**

Shri. Dadaso Raygonda Sankanna ... Petitioner
 Versus
 The State of Maharashtra and others ... Respondents

**WITH
 WRIT PETITION NO. 13627 OF 2017**

Smt. Ranaware Anita Hanmantrao ... Petitioner
 Versus
 The State of Maharashtra and others ... Respondents

Mr. N. V. Bandiwadekar, Advocate a/w. Mr. Vinayak Kumbhar,
 i/by Ashwini N. Bandiwadekar, Advocate for the Petitioners in
 all the Writ Petitions.

Mr. P. P. Kakade, Government Pleader a/w. Mr. S. B. Kalel & Dr.
 K. R. Kulkarni, AGPs for Respondent Nos.1 and 2 – State in all
 matters.

Mr. Milind Deshmukh for Respondent No. 3.

**CORAM : R.M. BORDE & N.J. JAMADAR, JJ.
 DATE : JULY 10, 2019.**

PC :

- 1 Heard the learned counsel for the parties.
- 2 Some of the writ petitions i.e. writ petition nos. 138, 860, 858, 475,864, 476 of 2018 and writ petition no. 1533 of 2019 are not on board. Mentioned. Taken on Board.
- 3 The Petitioners in these writ petitions have been appointed as part time Shikshan Sevak in the

private institutions in observance of the procedure prescribed under the law. Some of the Petitioners have completed the tenure as part time teachers so as to make them eligible for appointment/absorption as full time Shikshan Sevaks and in case of certain employees, they have completed tenure of employment so as to make them eligible for their absorption as Assistant Teachers in the private institutions. The Petitioners contend that they are entitled to be accommodated either as full time Shikshan Sevaks or Assistant Teachers in the institutions where they are serving, in view of the policy prescribed by the Government contained in circular issued by the Education Department on 31st January, 2001 and the Government Resolution dated 10th June, 2005. The Petitioners contend that in-spite of their approach to the private institutions, their grievances have not been ventilated and as such they have prayed for issuance of directions to the concerned Institution, the Education Officer or Deputy Director of Education to take steps so as to facilitate their accommodation in the private institutions as full time Shikshan Sevaks or Assistant Teachers. The Petitioners claim that it would be for the concerned Deputy Director of Education or the Education Officer to scrutinize the case of each of the employees and issue necessary directions to the Education Institutions to facilitate

accommodation/absorption of the Petitioners in the employment, as requested by them. The individual grievance of each of the Petitioners, based on distinct factual matrix, need not be gone into by this court in exercise of its extra-ordinary jurisdiction. However, individual claim of each of the Petitioners shall have to be scrutinized either by the concerned Education Officer or by the Deputy Director of Education.

4 In the circumstances, we dispose of all these writ petitions with liberty to the Petitioners to tender appropriate representations to the concerned Education Officer or Deputy Director of Education, specifying their grievances. The concerned Education Officer or Deputy Director of Education on receipt of the representations, shall, after extending opportunity of hearing to the concerned institutions and the petitioners shall issue necessary instructions or directions for facilitating absorption of the Petitioners in accordance with the policy prescribed by the State Government as expeditiously as possible, preferably within a period of four months from the date of receipt of the representation.

5 In the event the Petitioners are found eligible for absorption either as full time Shikshan Sevaks or

Assistant Teachers in the concerned private Institutions, the authority i.e. the Education Officer or Deputy Director of Education shall issue necessary directions to the employer / private institutions to submit appropriate proposal to the Education Officer / Deputy Director of Education for facilitating grant of approval and absorption of the Petitioners in employment.

6 With the directions, as above, the writ petitions shall stand disposed of.

(N.J. JAMADAR, J.)

(R.M. BORDE,J.)

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