

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3133 OF 2021

Shri Santosh Vitthal Bhilare	 Petitioner
VERSUS	
The State of Maharashtra and Ors.	 Respondents

ALONGWITH
WRIT PETITION NO. 3134 OF 2021

Shri Janardan Vitthal Pawar	 Petitioner
VERSUS	
The State of Maharashtra and Ors.	 Respondents

ALONGWITH
WRIT PETITION NO. 3136 OF 2021

Ms. Ushatai Shivaji Mokashi	 Petitioner
VERSUS	
The State of Maharashtra and Ors.	 Respondents

ALONGWITH
WRIT PETITION NO. 3138 OF 2021

Shri Raviraj Bajirao Pawar	 Petitioner
VERSUS	
The State of Maharashtra and Ors.	 Respondents

Mr. N. V. Bandiwadekar a/w Mr. Vinayak Kumbhar i/by Ms. Ashwini N. Bandiwadekar for the Petitioner.

Mrs. P. J. Gavhane, AGP for the State-Respondent Nos.1 and 2.

Mr. Milind Deshmukh for the Respondent No.3.

CORAM: R. D. DHANUKA AND
R.I.CHAGLA, JJ.

DATE : 22nd JULY, 2021
(THROUGH VIDEO CONFERENCE)

P.C:-

Rule. Learned A.G.P. waives service for the respondent nos. 1 and 2. Mr.Deshmukh, learned counsel for the respondent no.3 waives service. By consent of parties, above batch of petitions are heard finally.

2. By these petitions filed under Article 226 of the Constitution of India, the petitioners are seeking order and direction against respondent no.3 to immediately appoint the petitioners in the posts of full time Shikshan Sevak with payment of monthly honorarium in pay scale, in any of the vacancies that may be available in the Secondary Schools of the respondent no.3 and thereafter respondent no.2 may be directed to grant approval to the said appointments of the petitioners with release of grant-in-aid for payment of monthly honorarium in respect of the said appointments.

3. Mr.Bandiwadekar, learned counsel for the petitioners invited our attention to the order passed by this Court on 29th October, 2020 in Writ Petition No.9667 of 2018 filed by Mital Vithal Patil versus State of Maharashtra and Ors. and other companion petitions and more particularly paragraph (3) thereof and would submit that similar order be passed in this petition also between the petitioner and the same

management.

4. Learned counsel for the respondent no.3 has no objection if similar order is passed by this Court in this petition also. Statement is accepted. We accordingly pass the following order :-

(a) The petitions are, accordingly, disposed of by giving liberty to Petitioners to file appropriate applications/representations for absorption as full time teachers in accordance with the State policy. The concerned Education Officer or Deputy Director of Education, as the case may be, shall, on receipt of such applications/representations, extend opportunity of hearing to the Petitioners and the concerned institutions (who are arraigned as Respondent No.3 in each of these petitions), and, thereafter, issue necessary instructions/directions for facilitating absorption of the Petitioners in accordance with the policy of the Respondent State, as expeditiously as possible, and preferably within a period of four months from the date of receipt of the applications/representations. In the event the Petitioners are found eligible for absorption either as full time Shikshan Sevaks or full time

Assistant Teachers in the concerned private institutions, the authorities, i.e. the Education Officer or Deputy Director of Education, as the case may be, shall issue directions to the employer institutions for submitting appropriate proposals for grant of approval to upgradation of the Petitioners as full time Shikshan Sevaks/Assistant Teachers.

5. Rule is made absolute in the aforesaid terms.
6. All the above writ petitions are disposed of in the aforesaid terms. No order as to costs.

[R.I.CHAGLA, J.]

[R. D. DHANUKA, J.]