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

WRIT PETITION NO.3873 OF 2021

Sou. Pravina Shamrao Pawar Petitioner

Vs.

State of Maharashtra and Ors. Respondents

Mr.Rushikesh C. Barge for the Petitioner

Ms.Deepali Y. Deherkar for the respondent no.6

Mr.S.B.Kalel, A.G.P. for the State

Mr.Sandeep D. Shinde for the respondent Corporation

Ms.Shubhadha Khot i/b Ms.Aneeta Kuttikrishnan for
respondent no.5

**CORAM: S.V. GANGAPURWALA &
S.M. MODAK, JJ.**

DATED : JUNE 22, 2022

P.C.

1. Leave to amend Respondent no.3.

2. The learned counsel for the petitioner submits that the representation given by the petitioner to determine his seniority is not decided by the respondent nos.2 to 4. It is not disputed by the learned counsel for the parties that the Maharashtra Employees of Private Schools (Conditions of

Service) Regulation Act, 1977 and Rules, 1981 apply. As per the Rule 12 of the MEPS Rules, it is the Education Officer who has to take decision with regard to the seniority. If any employee has a grievance about the same, the petitioner may make an application with the Education Officer (Primary) afresh. In case the application is received by the Education Officer (Primary), objecting to the seniority list, then the Education Officer shall take decision upon it after hearing all the parties concerned expeditiously, preferably within a period of six months.

3. The petitioner may file afresh representation with the Management for condonation of break in service. Management shall forward the said representation to the competent authority within a period of four weeks from the date the representation is received. Authority may thereafter take decision upon the said representation expeditiously. Depending upon the decision taken by the authority, further steps be undertaken.

4. Writ Petition is disposed of. No costs.

(S.M.MODAK, J.)

(S.V. GANGAPURWALA, J.)