

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3757 OF 2020

Rashtriya Kamgar Education Society, Nagpur through Secretary and ors.

-Vs.-

State of Maharashtra and ors.

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

Court's or Judge's Orders.

 Mr P. N. Shende, Advocate for the petitioners
 Mr N. S. Rao, AGP for respondent Nos. 1 to 3
 Mr. A. Z. Jibhkate, Advocate for applicants in CAW No.1359 of 2022

CORAM : SUNIL B. SHUKRE AND

G. A. SANAP, JJ.

DATED : 14.09.2022

CIVIL APPLICATION NO. 1359 OF 2022

Heard.

2] It is the contention of these applicants that if approval to the appointments of petitioner Nos. 3 to 9 is granted by the Education Officer (Secondary), Zilla Parishad, Nagpur their position as Shikshan Sevak in the School run by petitioner No.1 would be endangered and that they may not be able to secure relief of inclusion of their names in Shalarth System which is online system devised by the State of Maharashtra for making online payment of salary to the teachers.

3] From the contentions so raised by the applicants, it

is quite clear that the applicants are seeking to pursue a cause of action which is their own and which is separate from the cause of action pursued by the petitioners in the present case. It is also seen from this application that in order to pursue their separate cause of action, these applicants have also preferred another Writ Petition bearing WP No. 2027 of 2020 and surprisingly in this petition, the petitioner Nos. 3 to 9 have not been impleaded as party respondents although, now these applicants contend that they have a grievance against these petitioners in the sense that if any approval to the appointments of these petitioners i.e. petitioner Nos. 3 to 9 is granted, it would have an adverse impact to the appointments of these applicants as Shikshan Sevak.

4] Considering all these aspects of the matter as stated above we find that these interveners do not have any locus in the present petition nor are they interested in pursuing whatever cause of action they claim to have against the petitioner Nos. 3 to 9 or otherwise they would have certainly impleaded these petitioners as party respondents in their own petition.

5] The application is, therefore, rejected.

WRIT PETITION NO. 3757 OF 2020

1] Heard.

2] Perused the reply of Education Officer (Secondary), Zilla Parishad, Nagpur. It shows that now the approval to the appointments of the petitioner Nos. 3 to 9 has been granted by him and that the proposal for inclusion of their names in Shalarth System for allocation of online ID has also been sent by him to the Deputy Director of Education, Nagpur Division, Nagpur. Thus, the grievance of the petitioners is now redressed and therefore, this petition is disposed of, as having worked itself out.

All other applications are disposed of, in terms of this final order.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Namrata