

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

...

WRIT PETITION NO. 3147 OF 2010
&
WRIT PETITION NO. 3239 OF 2010

WRIT PETITION NO. 3147 OF 2010

Suresh Indal Chavhan and Others

..Petitioners

versus

The State of Maharashtra and Others

..Respondents

WRIT PETITION NO. 3239 OF 2010

Ku.Pooja Jadhao and others

..Petitioners

versus

The State of Maharashtra and Others

..Respondents

None for the Petitioners

Mr.A.A.Madiwale, Assistant Government Pleader for Respondent
Nos. 1 to 3

Mr. P,B.Patil, Advocate for Respondent No.4

...

CORAM: NITIN JAMDAR &
ANIL L. PANSARE JJ.

DATE : 02 MAY 2022

P.C.:

None for the Petitioners in both the petitions.

2. The Petitioners had applied pursuant to Common Entrance Test conducted by the Respondent Nos.3 and 4 for filling up total 15012 vacancies of trained primary teachers for the academic year 2010-11 in various public bodies. The Petitioners were not considered from the category they sought to apply. Hence, these Petitions. The prayer clause (C) of the petitions reads thus :

“ Declare that the Petitioners, who have completed their D.Ed. course in English medium are entitled to claim reservation in 20% quota and to direct the Respondent No.4, the Commissioner, Maharashtra State Council of Examination, Pune-1, to forthwith grant appointments to the Petitioners as Primary Teachers/ Shikshan Sevak, on the basis of their marks, obtained in Common Entrance Test.”

3. Thus, the Petitioners claimed that they should be considered under reservation of 20 per cent quota, as having passed D.Ed. Course in English medium.

4. On 13 July 2010, while issuing Rule, this Court by way of interim relief, directed the Respondents to consider the Petitioners' claim under the said quota. So by interim order, the prayer of the Petitioners to be considered under the quota subject to

eligibility, was granted. Therefore, under the interim order, the Petitioners could have been considered and appointed. If they were considered but not found eligible, then it would be separate cause of action. No additional affidavit is filed by the Petitioners.

5. In the light of the interim relief both the petitions having been worked out, they are disposed of. Rule discharged.

[ANIL L. PANSARE,J.]

[NITIN JAMDAR,J.]

sahare