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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

901 CIVIL APPLICATION NO.12986 OF 2022
IN WP/9954/2019 WITH CA/13001/2022 IN WP/9981/2019
WITH CA/13004/2022 IN WP/9898/2019 WITH CA/13011/2022
IN WP/9976/2019 WITH CA/13015/2022 IN WP/9951/2019
WITH CA/13013/2022 IN WP/9896/2019 WITH CA/13012/2022
IN WP/9932/2019 WITH CA/12999/2022 IN WP/9921/2019
WITH CA/13006/2022 IN WP/9894/2019 WITH CA/13010/2022
IN WP/9945/2019 WITH WP/9981/2019 WITH WP/9945/2019
WITH WP/9976/2019 WITH WP/9894/2019 WITH
WP/9932/2019 WITH WP/9898/2019 WITH WP/9954/2019
WITH WP/9951/2019 WITH WP/9896/2019 WITH
WP/9921/2019

**THE STATE OF MAHARASHTRA THROUGH SECRETARY
AND OTHERS
VERSUS
DEEPALI NANASAHEB PAWAR AND ANOTHER**

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Mr S. G. Karlekar, A.G.P. for Applicants/State in Civil
Applications and for Respondents/State in Writ Petitions
Mr V. D. Sapkal, Senior Advocate i/b Mr V. S. Panpatte, Advocate
for Respondents/Petitioners in Writ Petitions
Mr A. B. Tele, Advocate for Respondent No.5 in Writ Petitions
Mr B. M. Dhanure, Standing Counsel for Respondent/Union of
India

**CORAM : RAVINDRA V. GHUGE
AND
SANDIPKUMAR C. MORE, JJ.**

DATE : 30th August, 2023

PER COURT:

1. We have considered the submissions of the learned
A.G.P. on behalf of the Applicants/State in all Civil Applications

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and the learned Senior Advocate Shri. Sapkal along with Mr V. S. Panpatte, Advocate on behalf of the Original Petitioners in the Writ Petitions.

2. There is no dispute that, when the first order of this Court, dated 30/06/2022 was passed, we had kept in focus the view taken by the Nagpur Bench of this Court in its order dated 14/02/2023 in Contempt Petition No.264/2022 in Writ Petition No.3696/2018 and further orders dated 12/10/2022 and 28/04/2022 in Writ Petition No.3696/2018. It is undisputed that, we adopted the view taken at the Nagpur Bench and passed, virtually, an identical order. The orders passed at the Nagpur Bench were carried to the Hon'ble Supreme Court in Special Leave Petition (Civil) Diary No.10947/2023. On 29/03/2023, the Hon'ble Supreme Court observed that, it was not inclined to interfere with the impugned judgment passed by the High Court and the Special Leave Petitions were dismissed.

3. In the above backdrop, the matters were further heard at the Nagpur Bench on 12/04/2023 and an order was passed that, the Registrar (Judicial) would verify the eligibility of the Petitioners in terms of the order and credit their payments in their

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respective accounts. The Writ Petitions were then listed for a final hearing.

4. In view of the above, the learned A.G.P. submits that, though this Court has passed an order akin to the order passed at the Nagpur Bench, by which, the Petitioners were granted the interim relief of payment of Rs.75,000/- per month, the State has enough material to indicate that, many of them are not eligible for any payment, as they did not possess requisite qualifications prior to their appointments.

5. Considering the above and keeping in view the order passed by the Hon'ble Supreme Court and the further order passed at the Nagpur Bench, **all these Civil Applications are disposed off**, with the following directions :-

(a) The learned A.G.P. would prepare a ready reference chart to give the glimpse of actual qualifications that were necessary at the time of the appointments of the Petitioners, their modes of appointments, their eligibility to possess the position of Special Teachers under the 'Inclusive Education For Disabled At Secondary Stage' (IEDSS) Scheme etc. This chart be prepared by 08/09/2023 and the

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copy of the same be supplied to the learned Senior Advocate Shri. Sapkal.

(b) Thereafter, the learned Senior Advocate Shri. Sapkal would prepare a similar chart from the point of view of the Petitioners, by 15/09/2023.

6. The Writ Petitions be listed on 25/09/2023 at 2.30 p.m before the Regular Bench.

(SANDIPKUMAR C. MORE, J.) (RAVINDRA V. GHUGE, J.)

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