

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

**CIVIL APPLICATION NO. 14361 OF 2022
IN/WITH
WRIT PETITION NO. 8991 OF 2022**

**SADASHIV SITARAM MUNDE
VERSUS
MAROTI SAMBHAJI MOKALE**

**AND
CIVIL APPLICATION NO. 14362 OF 2022
IN/WITH
WRIT PETITION NO. 8991 OF 2022**

**MANGALA SOPANRAO GADAM (PEKAMWAR)
VERSUS
MAROTI SAMBHAJI MOKALE**

**AND
CIVIL APPLICATION NO. 13916 OF 2022
IN/WITH
WRIT PETITION NO. 9448 OF 2022**

**SADASHIV SITARAM MUNDE
VERSUS
UMAKANT LAXMANAPPA KURE AND OTHERS**

**AND/WITH
WRIT PETITION NO. 1955 OF 2023**

**PRANITA RAMKRISHNA PADAMWAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. G. R. Ingole, Advocate for Petitioners

Mr. P. K. Lakhotiya, Ms Priya Bharaswadkar, AGPs for Respondent
Nos. 1 to 3

Mr. P. P. Shahane and Mr. P. L. Shahane, Advocates for Respondent
No.5

Mr. Sanket Kulkarni, Advocate for Respondent No.5

Mr. U. R. Avate, Advocate h/f Talekar and Associates for Respondent No.4

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 28.11.2023

PER COURT :-

1. The applicant Mangala claims that she would be seriously affected if any favorable order is passed in the Writ petitions, since she is a Senior Lecturer. If this Court proceeds to decide the Writ Petition in her absence, adverse orders would be passed affecting her career.

2. The other two civil applications are filed by a person who claims to be the President/Chairperson of the education trust, in which the Petitioners claimed to be in employment. Shri Shahane, the learned Advocate submits that there are two factions in the said education trust. Respondent No.4 claims to be the Secretary of the trust and the applicant claims to be the President of the trust. It is on the complaints of the President that the approvals of these Petitioners have been rejected as he could succeed in pointing out serious

deficiencies and irregularities in the selection and appointment of these Petitioners.

3. The learned Advocate for the Petitioners submits that there is no need to add the President of the trust. Shri Shahane submits that it is the President of the trust who has exposed the illegalities in the appointments of these petitioners. Respondent No.4 Secretary is hands in gloves with the Petitioners and he has consented for allowing the Petition.

4. Considering the peculiar facts and as the Secretary of the trust practically extends his no objection for allowing the Petition and since the Petitioners' case has been scrutinised by the Education Officer in the light of the complaints of the interveners, that **these Civil Applications are allowed.** The two applicants in Writ Petition No.8991 of 2022 be arrayed as Respondent Nos. 6 and 7. The applicant in Writ Petition No.9448 of 2022 be added as Respondent No.6 in the said Writ Petition. Addition be carried out within one week.

5. On notice to the added parties, the learned Advocate Shri Shahane, waives service of notice on behalf of the added Respondents

in both the Writ Petitions and assures that the affidavits-in-reply would be filed on or before 21.12.2023.

6. Insofar as the third Petition No. 1955 of 2023 is concerned, Shri Shahane makes an oral request to add the Applicant Sadashiv Sitaram Munde as a Respondent. The learned Advocate for the Petitioner submits that the oral request be accepted, since further time would be consumed if the Civil Application is to be filed and the same is to be considered on any subsequent date. We, therefore, permit addition as Respondent No.6 in the third Petition as well, and Shri Shahane waives service of notice on behalf of the added Respondent.

7. List all these Petitions on 10.01.2024 for further hearing, in the same category, since the Petitioners are without salary.

[Y. G. KHOBRAGADE, J.]

[RAVINDRA V. GHUGE, J.]

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