

5

Tendered in Court on  
6/4/2023 taken on  
Record & marked "X"  
6/4/2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 11080 OF 2022

DISTRICT: SOLAPUR

1. Shri. Nadkumar Baburao Menkudale, ]  
Age: 54 Years, Occupation: Service, ]  
R/o. A/P. Katphal, Taluka: Sangola, ]  
District: Solapur, ]  
]
2. Shri. Kumar Subrao Gade, ]  
Age: 53 Years, Occupation: Service, ]  
R/o. A/P. Sangola, Taluka: Sangola, ]  
District: Solapur, ]  
]
3. Shri. Shahaji Bira Kharat, ]  
Age: 52 Years, Occupation: Service, ]  
R/o. A/P. Katphal, Taluka: Sangola, ]  
District: Solapur, ]---Petitioners

VERSUS

1. The State of Maharashtra, ]  
Through the Secretary, ]  
School Education and Sports ]  
Department, Mantralaya, ]  
Mumbai - 400 032. ]  
]
2. The Commissioner of Education, ]

- School Education Department, ]  
 Maharashtra State, Pune. ]  
 Having office at, Central Building, ]  
 First floor, Dr Annie Besant Rd, ]  
 Agarkar Nagar, Pune- 411001. ]  
 ]
3. The Director of Education, ]  
 (Secondary and Higher Secondary), ]  
 Maharashtra State, Pune, ]  
 Having office at, Central Building, ]  
 Camp, Near Sasun Hospital, Pune-1. ]  
 ]
4. The Deputy Director of Education, ]  
 Pune Region, Pune, ]  
 Having office at, 17, Dr. Babasaheb ]  
 Ambedkar Road, Camp, Pune-411001.]  
 ]
5. The Education Officer (Secondary), ]  
 Zilla Parishad, Solapur, ]  
 Having Office at, Zilla Parishad ]  
 Building, Solapur, ]  
 ]
6. Katphal Shikshan Prasarak ]  
 Mandal, Katphal, Taluka: Sangola, ]  
 District: Solapur, ]  
 Through its Secretary, ]  
 ]

7. Shri. Pandurang Vidyalaya, ]  
 Katphal, Taluka: Sangola, ]  
 District: Solapur, ]  
 Through its Head Master, ]  
 ]
8. Shri. Pratapsinh Vidyalaya ]  
 Kalewasti (Chandapuri), ]  
 Taluka: Sangola, District: Solapur,]  
 Through its Head Master. ]---Respondents

Coram: Hon'ble G.S.Patel &  
 Smt. Neela Gokhale JJ  
 Date: 06-04-2023

### CONSENT TERMS

The Petitioners and contesting Respondents i.e. Respondent No.6-Educational Institution and Respondent No.7 and 8-Secondary Schools in the Writ Petition have amicably settled the disputes in respect of subject matter of present Writ Petition on terms as stated hereinunder. Hence by consent of the parties, the Writ Petition is disposed off in following terms.

1. That after taking a humanitarian and sympathetic view, the Respondent Nos.6 to 8 agreed to grant upgradation to the Petitioners as well as one more Asst. Teacher viz. Shri. Ramchandra Vishwanath Yadav from the post of Trained Under-Graduate Teacher (D.Ed. scale) into the post of Trained Graduate

Teacher (B.Ed. Scale) within period of 2 weeks by taking into consideration their seniority as well as by taking into consideration relevant statutory provisions and/or existing Government Resolutions/Policy Decisions regarding such upgradation from the post of Trained Under-Graduate Teacher (D.Ed. scale) into the post of Trained Graduate Teacher (B.Ed. Scale).

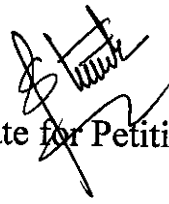
2. The Respondent Nos.6 to 8 are further agreed to forward the proposal for approval to upgradation of the Petitioners as well as aforesaid Shri. Ramchandra Vishwanath Yadav from the post of Trained Under-Graduate Teacher (D.Ed. scale) into the post of Trained Graduate Teacher (B.Ed. Scale) within the period of two weeks from the date of granting such upgradation. The Respondent No.5-Education Officer shall take decision on the same in accordance with law within 15 days from the date of receipt of the said proposal.

3. The Petitioners and the Respondent Nos.6 to 8 agree that all the allegations made by them against each other are hereby stand withdrawn and both parties agree that all such allegations including any complaints/ proceeding/ representations made to any other Authority/ Forum shall be withdrawn by the concerned party immediately.

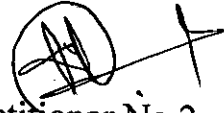
4. The present Writ Petition No. 11080 of 2022 is disposed of by consent of both parties in the aforesaid terms. No order as to costs.

Place: Mumbai

Dated : \_\_.04.2023

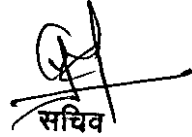
  
Advocate for Petitioners

  
Petitioner No.1

  
Petitioner No.2

  
Petitioner No.3

  
Advocate for Respondent Nos. 6 to 8

  
सचिव  
कटफळ शिक्षण प्रसारक मंडळ,  
कटफळ ता.सांगोला, जि.सोलापूर  
Respondent No. 6

  
Head Master  
Shri Pandurang Vidyalaya Kataphal,  
Tal. Sangola, Dist. Solapur  
Respondent No. 7

  
Head Master  
Pratapsinh Vidyalaya ( Kalevasti )  
Chandapuri, Tal. Malshiras Dist. Solapur  
Respondent No. 8