

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

Writ Petition No. 7145 of 2022

[Soniya Lalsingh Yadav ..vs.. State of Maharashtra through its Secretary, Department of Education
and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. P. Thakare, Advocate for the petitioner
Mr. M. K. Pathan, A. G. P. for the State/respondents 1 and 2
Mr. A. B. Moon, Advocate for respondent 5

**CORAM : ROHIT B. DEO AND
Y. G. KHOBRAGADE, JJ.**

DATED : 12-1-2023

The challenge is to the order dated 11-8-2022
and communication dated 1-9-2022 issued by the
Education Officer (Secondary), Zilla Parishad, Nagpur.

2. By the order dated 11-8-2022 while considering
the entitlement of respondent 5, Ms. Archana Lokhande,
the Education Officer has directed that the salary grants
as regards the petitioner, Ms. Soniya Yadav be stopped
and that instead of Ms. Archana Lokhande, Ms. Soniya
Yadav be considered as surplus from April, 2018.

3. It is not in dispute that the order impugned is
passed by the Education Officer without issuing notice
to, much less, hearing the petitioner. The order
impugned is, therefore, unsustainable and is quashed.

4. We direct the Education Officer (Secondary), Zilla Parishad, Nagpur to hear all stakeholders including the petitioner and respondent 5 and pass reasoned order within ten days from the date of appearance of the parties.

5. The parties shall appear before the Education Officer (Secondary), Zilla Parishad, Nagpur at 11 O'clock on 16-1-2023 without waiting for formal notice.

6. The petition is disposed of.

(Y. G. Khobragade, J.)

(Rohit B. Deo, J.)

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