



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 CIVIL APPLICATION NO. 559 OF 2024
IN WP/125/2023
WITH
WRIT PETITION NO.125 OF 2023

RAYEES KHAN ZAFAR KHAN PATHAN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...
Advocate for the Applicant : Mr. Munde Sambhaji G.
AGP for Respondents 1 and 2/State : Mr. S.K. Tambe
Advocate for Respondents 3 and 4 : Mr. V.P. Narwade i/by Mr.
M.V. Narwade

...
CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.

DATE :- 12th January, 2024

Per Court :-

1. The Writ Petition is pending admission hearing. The Civil Application is filed setting forth prayers in different words seeking final relief at an interim stage. Granting these prayers at this stage, would amount to granting final reliefs.

2. One prayer is that one post of the teacher be kept vacant until the Writ Petition of the Applicant/ Petitioner is decided. We are not inclined to accept the said request for the reason that there is a hue and cry in the State of Maharashtra with

regard to vacancies in schools in the Zilla Parishads and students and teachers are taking out Morchas demanding appointment of teachers. In such circumstances, keeping the post vacant would be more detrimental to such schools.

3. In view of the above, prayers B and C stand rejected. The Prayer for adding a Respondent is accepted and **the Civil Application is partly allowed only to that extent**. Addition be carried out within one week.

4. In view of the addition of Respondent No.7, issue notice to Respondent No.7 in the Writ Petition, returnable on 14.02.2024.

kps

(Y. G. KHOBRADE, J.)

(RAVINDRA V. GHUGE, J.)