

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.15076 OF 2024

Himatrao Sadashiv Salunke and Ors.Petitioners

Vs.

The Divisional Dy. Director of Education,
Pune Region, Pune and Ors.Respondents

Mr. I. M. Khairdi, for the Petitioner.

Mr. V. M. Mali, AGP for the State-Respondent Nos. 1 to 4.

**CORAM : RAVINDRA V. GHUGE &
ASHWIN D. BHOBE, JJ.**

DATE : 2nd DECEMBER, 2024

P.C. :-

1. This is yet one more case wherein we find that the Deputy Director of Education, Pune Region, Pune, Dr Jyoti Solanki, has passed an order on 10th January, 2024 stating therein that the Government Circular dated 1st December, 2022, staying Rule 41(A), of the MEPS Rules 1981, has been stayed, being completely oblivious of the fact that this Court has delivered a judgment on 21st July, 2023 in Writ Petition No.8215 of 2022 (*Friends Social Circle, Akola Vs. The State of Maharashtra & Anr.*) vide which the Government Circular dated 1st December, 2022 has already been

quashed and set aside.

2. The learned AGP fairly submits that after this Court passed an order at Aurangabad, the Department of School and College Education has issued a Circular and made all the Officers of the Education Department aware of the judgment delivered in ***Friends Social Circle Akola*** (supra), vide Government Resolution dated 29th April, 2024. He has a high hope that henceforth, such orders will not be passed.

3. In view of the above, **this Writ Petition is partly allowed.** The impugned order dated 10th January, 2024 is quashed and set aside. The case of Petitioner no.1, is restored to the file of the Deputy Director of Education, Pune Region, Pune, for reconsidering the case in the light of Rule 41 (A) of the MEPS Rules, 1981. A strict verification exercise under the said Rule shall be done and the proposal in relation to Petitioner No.1, shall be decided with a reasoned order, to be passed within a period of 60 days.

ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)