

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 15367 OF 2024

Pradip Venkatrao Patil & Anr. ... Petitioners

versus

The State of Maharashtra & Ors. ... Respondents

....

Mr.S.G.Kudle for the Petitioners.

Mr.A.A.Alaspurkar, AGP for the Respondent -State.

....

CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 18TH NOVEMBER, 2024

P.C.:

1. The Petitioners have put forth the following prayers :-

“(a) Rule be issued. Records and proceedings of this case be called for;

(b) This Hon’ble Court be pleased to issue the writ of mandamus, order direction, or any other order direction or appropriate writ in the nature of mandamus directing the Respondents herein and more particularly Respondent No.2 herein not to disturb the earlier order dated 12.2.2020 passed by the Regional Deputy Commissioner, Social Welfare Division, Pune Division, Pune under the guise of accommodating the other surplus teachers and orders, if any, passed by the Respondent No.2 herein shifting the Petitioners from the present Ashram School are void, ab-initio and not binding upon the Petitioners herein;

(c) This Hon'ble Court be pleased to direct the Respondent Nos. 1 and 3 herein to proceed with the disciplinary action against the Respondent No.2 herein for having made an attempt to disturb the Petitioners' present position thereby getting listed their names in the list of the ousted teachers from the present Ashram School;

(d) pending the hearing and final disposal of this Petition, this Hon'ble Court be pleased to issue an order of mandatory injunction directing the Respondents herein not to take any coercive steps against the Petitioners herein for seeking the appropriate reliefs in question as regards their grievances.

(e) this Hon'ble Court be pleased to declare that if at all any surplus teachers are required to be absorbed only two posts are available in the present Ashram School and the question of disturbing the Petitioners' present Position from the present school is unwarranted and uncalled for;

(f) Any other equitable and suitable orders be kindly passed in favour of the Petitioner only;

(g) This Petition be allowed with costs".

2. It is obvious that the service conditions of the Petitioners have been altered by the order dated 23rd September, 2024. We find that the Petitioners have not challenged the said order, which is actually the cause of action. We, therefore, asked the learned Advocate for the Petitioners as to whether they wish to challenge the said order.

3. The learned Advocate for the Petitioners submits that they do not desire to challenge the order dated 23rd September, 2024 by which their service conditions have been altered.

4. Without a challenge to the above said order, we have no reason to entertain this Writ Petition.

5. **This Writ Petition is, therefore, disposed off.**

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)