



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CONT. PETITION NO. 163 OF 2023
IN WP/11649/2019

SUNANDA MADHUKAR SHRUNGARE
AND ANOTHER

..PETITIONERS

VERSUS

RANJIT SINGH DEOL AND OTHERS

..RESPONDENTS

...

Advocate for the Petitioner : Mr. V. S. Panpatte

AGP for Respondent/State: Mr. S. J. Salagare

Advocate for Respondent Nos. 3 & 5 : Mr. R. L. Kute

...

CORAM : NITIN B. SURYAWANSHI AND
SANDIPKUMAR C. MORE, JJ.

DATED : 31st JULY 2025

ORDER:-

1. By order dated 11.07.2022, passed in Writ Petition No. 11649 of 2019, this Court directed Headmaster of respondent No.4-School to send the report as required by the letter dated 17th July 2019 within a period of three weeks from the date of the order. On receipt of the report, the Education Officer (Secondary), Zilla Parishad, Beed was supposed to pass appropriate order in accordance with law, within a period of six weeks thereafter.

2. In the communication dated 17th July 2019, the Education

Officer has informed to the Headmaster that, “though there is Government Resolution dated 13.10.2000, directing that *Shikshan Sevak* should be appointed for a period of three years, you have appointed the petitioners for a period of six months between 8.8.2016 to 3.2.2017.” He should therefore, take necessary action in terms of the advertisement issued in daily newspaper “सुझांर नेता” on 30.07.2016 for filling up the post of *Shikshan Sevak* in the light of Government Resolution dated 13.10.2000 and would submit a report.

3. The petitioners contend that, respondent Nos. 3 and 4 deliberately submitted incorrect report on 23.07.2022, thereby seeking approval to the appointments of the petitioners for a temporary period of six months and did not submit the proposal for approval to the appointments of the petitioners for a period of three years as *Shikshan Sevak*. Therefore, they have willfully disobeyed the order of this Court.

4. By filing affidavit-in-reply respondent Nos. 3 and 4 have contended that they have complied with the directions of this Court by filing report dated 23.07.2022 (*Exhibit-“E”*), to the Education Officer (Secondary), Zilla Parishad, Beed, thereby seeking approval to the appointments of the petitioners for a period of six months.

5. It is further contended that, three posts of teachers were to be

filled in, in the School. There was specific prohibition to appoint new teachers as per Government Resolution dated 27.06.2016 (*Exhibit-“R-1”*). As per the said Government Resolution, if the teachers were to be appointed, the appointment order should specifically mention that appointment is for a period of six months only or till the appointments of surplus teachers on the vacant posts, whichever is earlier. As the request made by the contemnor by letters dated 30.05.2016 and 21.06.2016, seeking permission from Education officer to fill up three posts was not considered by the Education Officer, the Management has issued advertisement in daily newspaper झुंझार नेता, dated 30.07.2016 for appointment of *Shikshan Sevaks* for a period of six months on contract basis. These three posts were of reserved category candidates i.e. Scheduled Caste, Other Backward Caste and V.J.N.T.

6. The petitioners applied pursuant to the advertisement, Petitioner No.2 belongs to open category, hence could not have been appointed as regular *Shikshan Sevak* and petitioner No.1 could not have been appointed for more than six months as per Government Resolution dated 27.06.2016. It is a matter of record that in the appointment orders of the petitioners, it is specifically mentioned that till surplus teachers are made available or for a period of six months, whichever is earlier, they are appointed on contract basis. Pursuant to

the appointments, the petitioners have resumed their duties by submitting joining reports (*Exhibit -“ R-4”*) on 08.08.2016, stating that they are joining as *Shikshan Sevak* on contract basis for a temporary period.

7. Now the petitioners contend that since their proposal for approval on the post of *Shikshan Sevak* is not forwarded for a period of three years, the respondents have committed contempt of the order passed by this Court.

8. There is no merit in the said contention, as the appointment of the petitioners was temporary, for a period six months on contract basis or till the surplus teachers are available. The record further indicates that the posts on which the petitioners were temporarily appointed, were of reserved categories. In terms of the Government Resolution dated 27.06.2016, the petitioners could not have been appointed as *Shikshan Sevak* for a period of three years. Therefore, respondent Nos. 3 and 4 were justified in forwarding the proposal of the petitioners on 23.07.2022 for approval of their services as *Shikshan Sevak* for a period of six months on contract basis. The respondents are also justified in contending that the petitioners' services automatically came to an end on completion of six months period. This Court, in the order passed on 11.07.2022, has kept all the contentions raised on merits open. Therefore, the respondents

have complied with the order of this Court and there is no willful disobedience on their part.

9. For the aforestated reasons, there is no merit in the contempt petition, the same is therefore, dismissed.

(SANDIPKUMAR C. MORE)
JUDGE

(NITIN B. SURYAWANSHI)
JUDGE

Y.S. Kulkarni