



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

908 WRIT PETITION NO.12582 OF 2025

ANUP DAMODAR RATHOD AND ANOTHER

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Mr. N.P. Patil Jamalpurkar, Advocate for petitioners

Mr. S.B. Pulkundwar, AGP for respondent Nos.1 to 4

...

CORAM : SMT. VIBHA KANKANWADI &
HITEN S. VENEGAVKAR, JJ.

DATE : 18th NOVEMBER, 2025

ORDER :

. Heard learned Advocate for petitioners. It appears that petitioners were Shikshan Sevak initially for three years and thereafter they were appointed as Assistant Teachers/Primary Teachers. A First Information Report came to be filed against them under Section 354 read with Section 34 of the Indian Penal Code, 1860 and under Sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012. They have faced the trial and were convicted by Special Judge (POCSO Act), Aurangabad. They have filed appeal before this Court and it appears that this Court by order

dated 15.12.2021 has suspended the sentence. Thereafter the Management appears to have made proposal for reinstatement of the petitioners, which has been turned down by order dated 03.07.2025 and their subsistence allowance has been reduced to Rs.1/- when in fact they were getting 75%.

2 It appears that what has been suspended by this Court is the sentence and application filed by petitioners for stay to the conviction is still pending. Though the criminal appeal appears to have been filed in 2021, the criminal application for stay to conviction appears to have been filed in 2025.

3 After the disinclination is shown to grant relief, learned Advocate for petitioners, upon instructions, seeks withdrawal of petition with liberty to approach this Court after the decision of the said application for stay to the conviction.

4 The writ petition stands **disposed of** with liberty as prayed.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)