



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

924 WRIT PETITION NO. 848 OF 2024

Ranjana Prakash Joshi And Another

VERSUS

The State Of Maharashtra Through Its Secretary And Others

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Mr. S.S. Thombre - Advocate for the Petitioners

Mrs. P. J. Bharad - AGP for State

Mr. Vinod M. Vibhute – Advocate for Respondent No. 3

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CORAM : S. G. CHAPALGAONKAR
AND
NEERAJ P. DHOTE, JJ.

DATED : 25TH JUNE, 2025

PER COURT : -

1. Heard Shri. S. S. Thombre, learned Advocate for the Petitioners, Mrs. P. J. Bharad, learned AGP for the State, and Shri. V. M. Vibhute, learned Advocate for Respondent No. 3.

2. The Petitioners have raised challenge to the legality, validity and correctness of the order dated 29.07.2022 passed by the Education Officer (Primary), Zilla Parishad, Aurangabad, thereby rejecting the proposal forwarded by the School for grant of Senior Pay-scale to the Petitioners upon completion of their twelve [12] years of continuous service.

3. Shri. S. S. Thombre, learned Advocate for the Petitioners submits that the Petitioners have completed twelve (12) years continuous service as Assistant Teachers. Accordingly, the Management had forwarded the proposal dated 15.07.2022 to the Education Officer for making applicable Senior Pay-scale to the Petitioners, however, by the impugned order dated 29.07.2022, the same has been declined on the ground that the School in which the Petitioners were working has been de-recognized by the Government Resolution dated 12.03.2020. Shri. Thombre points out that the order of de-recognition of the School is the subject matter of challenge in Writ Petition No. 4872 of 2020, in which an interim order has been passed granting *status quo* with respect to the students who are already in the Institution, and the enrollment of new students was withheld. According to Shri. Thombre, the entitlement of the Petitioners, who have already acquired the right upon completion of twelve [12] years of continuous service, cannot be deprived solely on the ground of de-recognition of the School, which is the subject matter of Writ Petition No. 4872 of 2020.

4. Considering the submissions advanced, we find that the Education Officer could not have rejected the proposal only on the ground of de-recognition of the school, especially when the Petitioners had already acquired the right to get the Senior Pay-scale upon

completion of twelve (12) years continuous service. In this view of the matter, we pass the following order:

ORDER

- [i] The impugned order dated 29th July, 2022 is quashed and set aside.
- [ii] Respondent No. 3 - Education Officer (Primary), Zilla Parishad, Aurangabad, is directed to reconsider the proposal of the Petitioners in view of the order passed by this Court in Writ Petition No. 4872 of 2020 and relevant provisions under the law.
- [iii] We hope and trust that Respondent No. 3 - Education Officer (Primary), Zilla Parishad, Aurangabad, will take an appropriate decision within a reasonable time i.e. within eight (8) weeks from the date of this order.

5. The Writ Petition is, accordingly, disposed off.

[NEERAJ P. DHOTE]
JUDGE

[S. G. CHAPALGAONKAR]
JUDGE