



( 1 )

901 wp 492.24

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

**901 WRIT PETITION NO. 492 OF 2024**

JAYESHKUMAR GANGADHAR KARDILE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 147 OF 2024**

SHRUTI SHRIKANTRAO AURADKAR  
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 150 OF 2024**

DAYANAND DADARAO PATIL  
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 146 OF 2024**

JYOTI RAMCHANDER VADJE  
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 142 OF 2024**

RAMDAS NAMDEV GAIKWAD  
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 149 OF 2024**

PRADIP MANOHARRAO PATIL  
VERSUS  
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 433 OF 2024**  
BHAGYAVIDHATA JANARDAN SALVE  
VERSUS  
THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 156 OF 2024**  
RUPESH HANUMANT BHARADE  
VERSUS  
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 2865 OF 2024**  
KISHOR NAMDEV MAHALE  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 2855 OF 2024**  
SURAJ SUKLAL KHANDEKAR  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 2853 OF 2024**  
BHATU NATTHU GIRASE  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 2859 OF 2024**

MADHURI PUNJABRAO DEOKAR  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 2861 OF 2024**

PRAFULCHANDRA BHATU PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 2836 OF 2024**

NANABHAU KAUTIK BORSE  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 2846 OF 2024**

MAHENDRA YASHWANT PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**CIVIL APPLICATION NO. 3753 OF 2024 IN WP/6491/2021**

SHAIKH ISRAR AHMED ABDUL MAJID SHAIKH  
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 6536 OF 2021**

ANIL RAMESH MALI AND OTHERS  
VERSUS

THE UNION OF INDIA THROUGH CHIEF SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11225 OF 2021**

HASHMI SYED NAFIS ABBAS  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OHTERS

AND

**WRIT PETITION NO. 7729 OF 2021**

ANANTA VISHVANATH DAHIWADKAR AND OTHERS  
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11267 OF 2021**

SAYYED AYUB HAMID  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11227 OF 2021**

SHAIKH IKRAM NIZAM  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11221 OF 2021**

SAYYAD YUNUS HAMID  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11222 OF 2021**

SAYED AHESAN ALI ABDUL ALI  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11228 OF 2021**

PATHAN KABIR NISAR AHMED KHAN  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11223 OF 2021**

WAYAL ALKA PANDITRAO  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11268 OF 2021**

SHAIKH SHAISTA PARVEEN MOHIYODDIN  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11224 OF 2021**

SHAIKH HAFIZODDIN HASNODDIN  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 11226 OF 2021**

SARJINE TRUPTI SHIVAJI  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 6433 OF 2021**

SHAIKH NASIM AHMED SHAIKH AHMED  
VERSUS

THE UNION OF INDIA AND OTHERS

AND  
**WRIT PETITION NO. 6430 OF 2021**  
SHAIKH JAMEEL SHAIKH SHAKIL  
VERSUS  
THE UNION OF INDIA AND OTHERS

AND  
**WRIT PETITION NO. 6431 OF 2021**  
SAYYED SHAHIN SAYYED AZIZ  
VERSUS  
THE UNION OF INDIA AND OTHERS

AND  
**WRIT PETITION NO. 6491 OF 2021**  
SHAIKH ISRAR AHMED ABDUL MAJID SHAIKH  
VERSUS  
THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 6624 OF 2022**  
SHAIKH MOBIN SHAIKH NAZIM  
VERSUS  
THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 7526 OF 2021**  
PRAVIN SHARAVAN PATIL AND OTHERS  
VERSUS  
THE UNION OF INDIA AND OTHERS

AND  
**CIVIL APPLICATION NO. 10085 OF 2024 IN WP/10966/2022**  
BEDKE SACHIN BHAGWAT  
VERSUS  
THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHER

AND  
**WRIT PETITION NO. 10966 OF 2022**

BEDKE SACHIN BHAGWAT  
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHER

AND  
**WRIT PETITION NO. 13314 OF 2021**

VILAS NAGORAO SONULE AND ANOTHER  
VERSUS

THE UNION OF INDIA AND OTHERS

AND  
**WRIT PETITION NO. 13631 OF 2023**  
BHAGYASHRI NIVRUTTI VANVE AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 13593 OF 2023**  
ARUNA RAMKISHAN JAMGE AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15478 OF 2023**  
RADHA SHAMRAO PATIL AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15512 OF 2023**  
SUHAS PADMAKAR DALAL AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 13633 OF 2023**

SEEMA KESHAVRO MORE AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15513 OF 2023**

SAVITA NAMDEV SARWAR SAVITA SHRIRAM MORE AND ANOTHER  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 13622 OF 2023**

ANITA BAHADURSING PAWARA AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 13623 OF 2023**

SARIKA DATTATRAY BUKULE AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 909 OF 2023**

ANITA FRANCIS PILLAY  
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS



AND

**WRIT PETITION NO. 13667 OF 2023**

PUSHPAWATI BABURAO KENDRE AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15514 OF 2023**

SHAIKH ZHISHAN SHEKH AKHTAR AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 13668 OF 2023**

RATNA NIVRUTTI GHULE AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15479 OF 2023**

PRADNYA SUDHIR DIVAKAR AND OTHERS  
VERSUS

THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

**CIVIL APPLICATION NO. 2292 OF 2024 IN WP/7729/2021**

ANANTA VISHVANATH DAHIWADKAR AND OTHERS  
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15233 OF 2023**

SACHIN PRAKASH MORE  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15214 OF 2023**  
MADHAV GOVINDRAO JADHAV  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15260 OF 2023**  
BHARAT DAYARAM NAGRALE  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15261 OF 2023**  
PRAVIN SHRAVAN PATIL  
**VERSUS**  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15215 OF 2023**  
PANKAJ BAJIRAO PATIL  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15220 OF 2023**  
HEMANT RAMESH JAGTAP  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15237 OF 2023**

PANKAJ DAJIBA PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15242 OF 2023**

NAVAL SURESH PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15216 OF 2023**

NARENDRA NARAYAN PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15278 OF 2023**

SUGANDHA SITARAM PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15223 OF 2023**

NILKAMAL VASANT BHOLE  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 15268 OF 2023**

SURESH CHANDRAPRAKASH JADHAV  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15266 OF 2023**

ANKUSH PANDURANG PAWAR  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15212 OF 2023**

MANOHAR KARBHARI BACHHAV  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 122 OF 2024**

BHAKTARAM SHRIRAM BADE  
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 57 OF 2024**

AYESHA FARHEEN SHAIKH ABDUL ASAD  
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND

**CIVIL APPLICATION NO. 226 OF 2024 IN WP/6430/2021**

SHAIKH JAMEEL SHAIKH SHAKIL  
VERSUS

THE UNION OF INDIA AND OTHERS

AND

**WRIT PETITION NO. 105 OF 2024**

SWAPNIL CHANDRAKANT PATIL  
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 108 OF 2024**

KRUSHNAKANT SHRIRANG GIRASE

**VERSUS**

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 15761 OF 2023**

BALAJI RAMRAO TIRKMTE

**VERSUS**

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**CIVIL APPLICATION NO. 863 OF 2024 IN WP/10966/2022**

BEDKE SACHIN BHAGWAT

**VERSUS**

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHER

AND

**WRIT PETITION NO. 129 OF 2024**

SAMBHAJI ASHOKRAO PATIL

**VERSUS**

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 124 OF 2024**

SHRIGANESH VISHWANATH MUDGADE

**VERSUS**

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 120 OF 2024**

SANJAY SUBHASHRAO BIRADAR

**VERSUS**

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 138 OF 2024**

SANJAY PRABHAKAR JADHAV

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 134 OF 2024**

BALASAHEB BHANUDAS BHIVARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 153 OF 2024**

GAJANAN DATTATRAYA AMBHORE

VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 139 OF 2024**

SAYYAD AKRAM SALIM

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 151 OF 2024**

AJAY KRISHNRAO INGALE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

**WRIT PETITION NO. 141 OF 2024**

RAJENDRA BHIKANRAO PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 121 OF 2024**

POPAT HARIBHAU AWARI  
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 125 OF 2024**

PANKAJ SAHEBRAO PATIL  
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 563 OF 2024**

PORNIMA JADHAV PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 235 OF 2024**

KAVITA RAVINDRA PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 461 OF 2024**

KISHOR NARAYAN NIKAM  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 462 OF 2024**

CHHAYA VISHWAS PATIL  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 133 OF 2024**

SAGAR GIRDHAR THAKUR  
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 127 OF 2024**

SARDAR KHATA PATIL  
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 157 OF 2024**

ASHA SHIVAJI JADHAV  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 154 OF 2024**

SWANAND NAVNATH RATHOD  
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND  
**65 CIVIL APPLICATION NO. 697 OF 2025 IN WP/6512/2021**

GAFOOR ABDAR PATHAN  
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**128 WRIT PETITION NO. 13286 OF 2021**

SHAIKH ALEEMUDDIN SHAIKH AMEERUDDIN  
VERSUS

THE UNION OF INDIA AND OTHERS



AND

**1 CIVIL APPLICATION NO. 995 OF 2025 IN WP/906/2023**

PARMESHWAR YADAV MHASKE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**2 CIVIL APPLICATION NO. 1189 OF 2025 IN WP/908/2023**

SADHANA SHANKAR SAWANT

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**3 CIVIL APPLICATION NO. 1271 OF 2025 IN WP/910/2023**

JYOTI KRISNARAO BOLKE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**4 WRIT PETITION NO. 6041 OF 2021**

LATABAI BABURAO BARSKAR

VERSUS

THE CHIEF EXECUTIVE OFFICER ZP AHMEDNAGAR AND ANOTHER

AND

**5 WRIT PETITION NO. 809 OF 2024**

SHARAD BABAURAO KENDRE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

**6 WRIT PETITION NO. 997 OF 2024**

CHANDRAKANT GAUTAM GAIKWAD

VERSUS  
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND  
**7 WRIT PETITION NO. 6492 OF 2021**

ABHIJIT KISHOR PATIL AND ANOTHER  
VERSUS  
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND  
**8 WRIT PETITION NO. 6513 OF 2021**

SHAIKH ASIF SHAIKH KHALIL  
VERSUS  
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND  
**9 WRIT PETITION NO. 66 OF 2024 with CIVIL APPLICATION NO. 1584/24**

ANAND DATTATRYA SHINDE  
VERSUS  
THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND  
**WRIT PETITION NO. 3577 OF 2025**

SUDHIR SUBHASH SATPUTE  
VERSUS  
THE STATE OF MAHARASHTRA  
THROUGH ITS PRINCIPAL SECRETARY & ORS.

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*Advocate for the Petitioner/s : S/Shri Pawar Rahul S., Madde Shrikant B.,  
Sachin G. Joshi, S.S. Kazi, Patil Yogesh M. Pathan Hamzakhan I.,  
Gaikwad Pramod S., Yogesh Murlidhar Patil, Zambare Sudheer R.,  
Vinod Patil, Syed Azizoddin, M.N. Shaikh,  
Ms. Kazi Sabahat T. and Ms. Kazi Fatema in respective petitions*

*AGP for Respondents/State* : Mr. V.M. Kagne

*Standing Counsels for UOI* : S/Shri M.A. Golegaonkar, R.R. Bangar, D.B. Gaikwad, Bhushan Kulkarni, S.W. Munde, R.B. Bagul, S.S. Deve, A.N. Patale, Ms. Sudha Chintamani & Ms. Nikita Gore in respective petitions

*Sr. Advocate for M.P.S.P.* : Mr. Patil Bankar Deelip in respective petitions

*Advocate for Resp./Z.P. Jalgaon* : Mr. V.V. Gujar in respective petitions  
*Advocate for Resp./Z.P. Nanded* : Mr. S.B. Pulkundwar in respective petitions

*Advocate for Respondents* : S/Shri V.D. Patnurkar, Mohammad Waseemullah in respective petitions

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**CORAM** : **MANGESH S. PATIL &  
Y.G. KHOBRAGADE, JJ.**

**DATE** : **21.03.2025**

**P.C. :-**

1. Mr. Gaikwad Pramod submits that few of his matters have been wrongly clubbed and have been listed together with this group involving Special Teachers matters when these are the matters of Auxiliary Nurse Midwife. All these matters as mentioned below shall stand de-tagged and be listed separately on due dates:

WRIT PETITION NO. 13631 OF 2023, WRIT PETITION NO. 13593 OF 2023, WRIT PETITION NO. 15478 OF 2023, WRIT PETITION NO. 15512 OF 2023, WRIT PETITION NO. 13633 OF 2023, WRIT PETITION NO. 15513 OF 2023, WRIT PETITION NO. 13622 OF 2023, WRIT PETITION NO. 13623 OF 2023, WRIT PETITION NO. 13667 OF 2023, WRIT PETITION NO. 15514 OF 2023, WRIT PETITION NO. 13668 OF 2023, WRIT PETITION NO. 15479 OF 2023 and WRIT PETITION NO. 3577 OF 2025.

2. Civil Application No.995 of 2025 in WP/906/2023, Civil Application No. 1189 of 2025 in WP/908/2023, Civil Application No.1271 of 2025 in WP/910/2023 and Writ Petition Nos. 6041 of 2021, 809 of 2024, 997 of 2024, 6492 of 2021, 6513 of 2021 and 66 of 2024 are not on board. On request papers are called.

3. We have heard the learned advocates for the petitioners as also the learned AGP. These are the matters of Special Teachers appointed under the Inclusive Education for Disabled at Secondary Stage (IEIDSS) when it was fully sponsored by the Central Government. By the passage of time the Central Government apparently disassociated itself and limited its liability only to the extent of a defined share according to the salary/scale of the post. The dispute started after 2018 when the payment of salaries was stopped and several petitions were filed at the Principal Seat, Nagpur bench of the High Court and even at this bench.

4. In the wake of serious allegations about eligibility of the persons appointed as Special Teachers, the State Government in the concerned department undertook an exercise for verification of eligibility of each of them. The petitions were filed at different benches. Ad interim reliefs were solicited. In writ petition no.3696/2018 and other connected matters by the order dated 28.04.2022 at the Nagpur bench the petitioners were directed to

be paid, for the time being salary @ Rs.75,000/- per month as an ad-hoc payment starting from 01.04.2022.

5. As against this, at the Principal Seat and at this bench ad interim orders were passed holding these petitioners entitled to salaries @ Rs.25,000/- per month. In one of the group of petitions filed at this bench, however, direction was given as an ad interim relief, to make payment to the petitioners at par with whatever was ordered by the Nagpur bench i.e. @ Rs.75,000/- per month.

6. For non-payment of the salaries contempt proceedings have been filed at this bench. By the order dated 08.04.2024 in contempt petition no.763/2023 and connected matters the petitioners who were found eligible were stated to be not paid even @ Rs.25,000/-. In spite of the direction of the absorption in that order, the matter is standstill.

7. The learned AGP tenders across the bar written instructions received from the Directorate of Primary Education dated 20.03.2025. It has been mentioned therein that as regards the payments to be made and arrears to be cleared and absorption of 358 special teachers who after scrutiny have been found to be eligible and entitled to continue, instructions have been divided in three categories.

(a) As regards arrears of salary it is mentioned therein that arrears have been cleared from the date of appointment till March-2023. But some advocates of some of these petitioners dispute this.

(b) As regards payment of regular salary to these 358 Special Teachers is concerned it is mentioned that they are being paid salary @ Rs.25,000/- per month even this fact is being disputed by the learned advocates of some of the petitioners. It is mentioned in this regard in these written instructions that out of those 358 Special Teachers who have not received the regular salaries from April-2023 on-wards they can approach the Directorate of Primary Education through Director of Primary Education and further steps would be taken for payment of their arrears of salary.

(c) As regards absorption of these 358 special teachers is concerned, these instructions mention that they are to be absorbed and the process of absorption is underway at the directorate level and it is after they are absorbed as Special Teachers that they would be paid salary according to the pay scale.

(d) This communication at the last mentions that the process of absorption will take around two to three months.

8. The aforementioned circumstances would clearly indicate that the matter is not being handled with expected zeal and seriousness since inception. The state has allowed the disparity to be maintained even in respect of ad interim reliefs. For the teachers who have approached the

Nagpur bench the state is suffering an order for payment of salary @ Rs.75,000/- and is comfortable with the ad interim reliefs in respect of the petitioners who have approached the Principal Seat or this bench.

9. Again even, as is pointed out herein-above, there are two orders wherein in most of the matters the ad interim relief is to pay @ Rs.25,000/- whereas in a group of matters there is an order for payment of Rs.75,000/- per month and the learned AGP on instructions submits that those petitioners are being paid @ Rs.75,000/- per month.

10. We are flabbergasted by the approach of the state in treating the Special Teachers who even it holds to be eligible and having been appointed legally. No immediate steps have ever been taken either to clear the arrears or to pay them regularly at par at least those 358 teachers, who according to it are entitled to even absorption being eligible and appointed by following due process of law.

11. Incidentally, we are informed that an attempt was made by the state to take exception to the ad interim order passed at Nagpur bench by approaching the Supreme Court but that has failed.

12. The learned AGP seeks time to file affidavit in reply in all these matters and to come out with some concrete stand and is requesting the status quo to continue so that all the matters can be heard finally. However, in the aforementioned circumstances and the approach of the state, to our mind, does not permit us to grant any further leeway. The state may take its own time in filing affidavit in reply. However, in modification of the earlier ad interim orders we direct the state to pay all the 358 special teachers which it has found after scrutiny to have been regularly appointed being eligible and are even entitled to absorption, that the state shall hereafter pay them salaries for the time being @ Rs.75,000/- per month till final disposal of these petitions.

13. As regards the arrears which the state is still to clear even at @ Rs.25,000/- per month, since the matter is already before a coordinate division bench taking up contempt proceedings we do not wish to comment.

14. List all these matters on 30.04.2025 to enable the learned AGP to file the affidavit in reply.

15. Civil Application No.697/2025 is filed for seeking restoration of writ petition. For the reasons mentioned in the application and considering the nature of dispute, the application is allowed, delay is condoned and the



writ petition no.6512/2021 is restored subject to the condition that the office objections shall now be removed within two weeks.

[Y.G. KHOBRAGADE, J.]

[MANGESH S. PATIL, J.]