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

936 WRIT PETITION NO. 1404 OF 2025

RIYAZ AHMED SHAIKH RAFIQUE MOMIN
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...
AND

952 WRIT PETITION NO. 1420 OF 2025

SHAIKH FAIZ AHMED RIYAZ AHMED SHAIKH
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...
Shri Bolkar Yogesh B., Advocate for the Petitioners.
Shri S.R. Wakale and Ms. S.S. Joshi, AGPs for Respondent Nos.1
to 5/State.
Shri L.S. Mahajan, Advocate for Respondent Nos.6 and 7.
...

**CORAM : MANGESH S. PATIL
&
PRAFULLA S. KHUBALKAR, JJ.**

DATE : 30th January, 2025

Per Court :-

Heard the learned advocate for the petitioners.

2. It is usual matter regarding grant of approval to the
appointment of the petitioners, however, with chequered history.

3. Earlier, similar proposal was rejected by the

selfsame Education Officer (Secondary) by orders dated 20.06.2024 (exhibit O). The petitioners had put up a challenge to those orders in Writ Petition Nos.8634/2024 and 8633/2024, respectively. By common order dated 14.08.2024 for the reasons mentioned therein, the matter was remitted back to the Education Officer *inter alia* for taking a fresh decision in the light of communication dated 10.07.2024. It is thereafter, that the impugned orders have been passed on 18.12.2024.

4. Pertinently, the order of this Court dated 14.08.2024 has been reproduced in the impugned orders wherein, a reference can be had to communication dated 10.07.2024. However, surprisingly rather objectionably, the orders have been passed not even referring to that communication dated 10.07.2024 either directly or by way of implication. This is nothing but undermining the authority of the Court.

5. In our considered view, the matter invites cognizance to be taken under the Contempt of Courts Act. Issue notice to the Education Officer (Secondary), Zilla Parishad, Jalgaon, by name Mrs. Kalpana Chavhan, in the prescribed format under the Rules framed by the Bombay High Court under

the Contempt of Courts Act and the matter be placed before the appropriate bench to that extent.

6. Independently, issue notice in the writ petitions to the respondents, returnable on 27.02.2025. The learned AGPs waive service of notice for respondent Nos.1 to 5 in the respective petitions, whereas the learned advocate Shri Mahajan waives service for respondent Nos.6 and 7 in both the petitions.

7. Services of the petitioners shall stand protected till the next date.

kps (PRAFULLA S. KHUBALKAR, J.) (MANGESH S. PATIL, J.)