

Nikita

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR**

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.181 OF 2022

Ravindra Tukaram Pawar and Ors. ... Petitioners

V/s.

State of Maharashtra and Ors. ... Respondents

Mr. Y. B. Lengare (though V. C.) a/w Mr. Rutik Kashid
for the Petitioner.

Mr. V. M. Mali, AGP for the State.

Mr. Ashish Pawar (through V. C.) for Respondent Nos. 5
and 6.

Mr. Gajanan Savagave for the Respondent No.7.

**CORAM : M. S. KARNIK &
AJIT B. KADETHANKAR, JJ.**

DATED : 13th NOVEMBER, 2025

ORAL ORDER (PER M. S. KARNIK, J.):

1. Heard learned Counsel for the petitioners, learned Counsel for the Respondent Nos. 5 and 6, learned Counsel for Respondent No.7 and learned AGP for the State.

2. Learned AGP as well as learned Counsel for Respondent No.7 vehemently opposed the petition. Learned Counsel for the petitioners inviting our attention to the impugned order dated 26th September, 2019 at page No.88 of the paper book passed by the Respondent No.1 to submit that the only reason for rejection of the appeal filed by the petitioners is that there is no policy which

governs the grant of seniority to trained graduate teachers. However, learned Counsel for the petitioner relied upon the Government Resolution dated 28th April, 2014 issued by the State Government which is at page No.103 of the paper book regarding the policy for grant of such benefits. In the submission of the petitioners, they are entitled to the reliefs in terms of said Government Resolution dated 28th April, 2014. Learned Counsel for the petitioners submits that when the appeal was heard, the said Government Resolution dated 28th April, 2014 was not to the knowledge of the petitioner and therefore could not be brought to the notice of the Respondent No.1.

3. Though, the request made by the petitioners for the remand of the Respondent No.1 is opposed by the learned AGP and learned Counsel for Respondent No.7, we are satisfied that in the interest of justice, one opportunity needs to be given to the petitioners to place before the Respondent No.1 the entitlement of the petitioners in terms of the Government Resolution dated 28th April, 2014, which prima facie has a bearing on the entitlement of the petitioners.

4. In this view of the matter, the impugned order passed by the Respondent No.1 dated 26th September, 2019 at Exhibit-A is quashed and set aside.

5. The Respondent No.1 is requested to hear the petitioners as well as the respondent Nos. 5 and 6-management as well as Respondent No.7 and decide the entitlement on its own merits and in accordance with law.

6. The parties to appear before the Respondent No.1 on 26th November, 2025 at 3.00 pm. Parties are at liberty to file additional pleadings/ affidavit in support of their case and also place on record the copy of the Government Resolution dated 28th April, 2014 on which reliance is placed by the petitioner.
7. Respondent No.1 is requested to decide the appeal afresh on its own merits and in accordance with law, after hearing all concerned within a period of 12 weeks from 26th November, 2025.
8. All contentions are kept open. It is made clear that we have not made any observations as regards the question whether the petitioners are covered by the said Government Resolution.
9. The writ petition is disposed of.

(AJIT B. KADETHANKAR, J.)

(M.S. KARNIK, J.)