

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 15776 OF 2024

Ratan Rupgir Giri. ... Petitioner.
Versus
The State of Maharashtra & Ors. ... Respondents.

Mr. Sachin D. Kadam, for the Petitioner.
Ms. Priyanka Chavan, AGP for Respondent Nos. 1 to 3/State.
Mr. Sagar P. Batavia, for Respondent Nos. 4 & 5.
Ms. Anupama Shah a/w. Mitaali Shah, for Respondent No. 6.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 3rd MARCH, 2025

P.C. :

1. The Advocate representing Respondent No. 6, submits that the Petitioner's grievance cannot be entertained in the light of the fact that after the seniority list was published, the Petitioner has already been superseded. A matter pertaining to supersession is to be taken to the School Tribunal in an appeal under Section 9 of the MEPS Act.

2. The learned Advocate for the Petitioner submits that the Government has issued a G.R. dated 28.1.2025. On the last page (page-11), Clause 4 indicates that the seniority list is to be reviewed and

formalised, and those persons who have been promoted earlier, may have to be demoted. He, therefore, prays that this Petition may be disposed off by directing the concerned authorities to consider the case of the Petitioner as well as Respondent No. 6, in terms of Clause 4 of the said G.R. dated 28.1.2025.

2. The learned Advocate representing Respondent No. 6, submits that if any adverse order is to be passed qua Respondent No. 6, an opportunity of hearing will have to be granted. We agree with the said submission.

4. In view of the above, **this Petition is disposed off.** The Management may reconsider the seniority list in the light of Clause 4 of the said G.R.. If any adverse order is to be passed as against Respondent No. 6, in the nature of a demotion or cancellation of promotion, the said Respondent will have to be heard before passing an order.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)