

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

WRIT PETITION NO. 1037 OF 2025

Ramrao Atmaram Bachhav And Ors

... Petitioners

Versus

Education Officer Secondary

ZP. Nashik And Ors

... Respondents

Mr. Yatin Malvankar *for the Petitioners.*

Smt. M.S. Srivastava, *AGP for Respondent / State.*

Mr. Sachin Gite *for Respondent No.3.*

CORAM : SANDEEP V. MARNE, J.

DATE : 3 MARCH 2025.

P.C. :

1) The Petition challenges order dated 27 September 2024 passed by the Education Officer (Secondary) Zilla Parishad, Nashik rejecting the objection raised by the Petitioners to the seniority list prepared by the management.

2) It appears that during pendency of the present Petition Government Circular dated 28 January 2025 has been issued and now fresh seniority list will have to be formulated in terms of clarifications issue in the said Circular dated 28 January 2025. In fact this Court has recorded a statement in its order 11 February 2025 passed in Writ Petition No. 3845 of 2024 about preparation of

fresh seniority lists. In fact Petitioners was one of the intervenor's in group of Petitions disposed of by this Court on 11 February 2025. Since now fresh seniority lists *qua* the school of the Petitioners would be prepared in terms of the Government Circular dated 28 January 2025, the challenge to the impugned order dated 27 September 2024 would really not survive. As and when fresh seniority list is prepared and published, and in the event the Petitioners are aggrieved by the said seniority list, it would be open for them to raise objection to the same before the Education Officer.

3) The grievance of the Petitioners is that the Management as well as Education Officer has not considered various decisions of this Court while preparing the earlier seniority list and the Petitioners expects that at least at the time of preparation of fresh seniority list, the Management as well as the Education Officer must consider various judgments passed by this Court holding that Teachers with qualification of D.Ed (two years course) + Graduation from a distinct class. It would be open for the Petitioners to rely upon the said judgments both before Management as well as before the Education Officer, as the case may be.

4) The Petition is accordingly disposed of by passing following order:

i) The Management shall formulate fresh seniority list in terms of Government Circular dated 28 January 2025 without being influenced by any of the findings recorded in the impugned order dated 27 September 2024.

ii) In case Petitioners are aggrieved by fresh seniority list, it would be open for them to raise an objection before the Education Officer against the seniority list and such objection shall be decided by the Education Officer on its own merits without being influenced by the order dated 27 September 2024.

5) All contention of parties on merits are expressly kept open. Writ Petition is **disposed of** in above terms. There shall be no orders as to costs.

[SANDEEP V. MARNE, J.]