

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

WRIT PETITION NO. 2408 OF 2025

Jayshri Shantaram Patil & Ors. ... Petitioners
versus
The State of Maharashtra & Anr. ... Respondents

**AND
WRIT PETITION NO. 2409 OF 2025**

Krushna Suryabhan Gaikwad & Ors. ... Petitioners
versus
The State of Maharashtra & Anr. ... Respondents

**AND
WRIT PETITION NO. 18667 OF 2024**

Gopal Baliram Kale & Ors. ... Petitioners
versus
The State of Maharashtra & Ors. ... Respondents

Ms.Pradnya Talekar with Ms.Madhavi Ayyappan and Mr.Tushar Wankhede i/b. Talekar and Associates for the Petitioners in all Petitions.

Mr.B.V.Samant, Addl.GP with Ms.T.J.Kapre, AGP for the Respondent, State in WP No.18667 of 2024.

Mr.B.V.Samant, Addl.GP with Ms.P.N.Diwan, AGP for the Respondent, State in WP Nos.2408 and 2409 of 2025.

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

DATE : 21st APRIL, 2025

P.C. :-

1. Considering the earlier orders passed by this Court and especially, the order dated 23rd January, 2025 passed by the Division

Bench of this Court (Coram: Nitin W. Sambre & Ashwin D. Bhobe, JJ.) in these proceedings, we would have been justified in issuing Contempt of Court notice to Mr. Ranjit Singh Deol, Principal Secretary, School Education Department, State of Maharashtra.

2. The root of this litigation lies in the judgment of this Court dated 9th May, 2014 delivered in Writ Petition No. 7106 of 2013, followed by the judgment dated 6th June, 2017 delivered in Writ Petition No. 11771 of 2015 and a long list of connected matters.

3. This Court has been patient with the Department of Education concerning the Instructors, who deliver lectures in Arts Education, Health, Physical Education and Work Education, in State operated institutions. The chequered litigation history indicates that this Court has set aside several Government Resolutions and Policies of the State considering that the State offers Rs. 100/- per lecture of 30 minutes with a ceiling of Rs. 7000/- per Teacher/Instructor for a month.

4. One can imagine the plight of these persons who are offered a maximum of Rs. 7000/- per month on the spacious plea

that they have to come to the institutes only when the lectures are to be delivered and for the rest of the day, when there are no lectures, they are at liberty to undertake private work/ profession/ calling, etc,. In the last more than 10 years, the Department is grappling with the terms of the policy which was to be prepared under the orders of this Court that they should prepare a specific a policy for engaging such Instructors. Finally, by order dated 23rd January, 2025, this Court recorded that the charges would be framed against the Principal Secretary, School Education Department, if no progress is made.

5. Vide our order dated 16th April, 2025, we had directed the School Education Department that it should come with a decision to formalise the policy or face the contempt proceedings. Even today, the learned Addl.GP is instructed to canvass that Rs.7000/- is being offered as the maximum payment. It is apparent that the School Education Department is testing the patience of the litigants as well as of the Court.

6. We are still patient with the School Education Department and we are granting them further time to take a decision

and convey to the Court as to whether they are willing to offer 50% of the pay structure that is available to the regular full time teacher in such institutions.

7. We are listing this Petition, in the urgent admissions category, on **30th April, 2025**, in the supplementary board for enabling the Principal Secretary, School Education Department to remain present in the Court and make a statement in the light of the above observations.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)