

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

WRIT PETITION NO.10707 OF 2024

Balkrishna Shankar Kanase and Ors.Petitioners

Vs.

The State of Maharashtra and Ors.Respondents

Adv. S. S. Pakale a/w Nilesh Desai i/b Padmaja Malgaonkar for the
Petitioner.

Mr. V. G. Badgujar AGP for the State/Respondent Nos. 1 to 3.

Mr. Ashok Misal for Respondent Nos. 4 and 5.

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

DATE : 28th JANUARY, 2025

P.C. :-

1. **Issue notice to the Respondents**, returnable on 17th
February, 2025. The appearing parties waives service of notice on
behalf of all the Respondents.

2. The question raised by the learned Senior Advocate is,
as to whether the Director of Education had any power to pass an
order in relation to the seniority list of the candidates who could be

eligible for appointment as a Cluster Head and whether he had the power to pass the impugned order dated 13th July, 2024 which led to the creation of the seniority list dated 24th July, 2024.

3. We, therefore, expect Respondent No.3 to enter an affidavit-in-reply to explain the source of his authority to pass such an order. Let such reply be filed on or before 13th February 2025.

4. List this Writ Petition on **17th February, 2025** in the urgent admissions category.

5. Needless to state, the observations of this Court in paragraph No.2 of the order dated 31th July, 2024 would continue to bind the parties.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)