

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

WRIT PETITION NO. 13012 OF 2024

Neha Nitin Raje ... Petitioner

Versus

The Education Officer (Secondary)
Zilla Parishad, Ratnagiri And Ors. ... Respondents

Mr Saurabh Pakale a/w Mr Nilesh Desai i/b Ms Padmaja
Malgaonkar, for Petitioner.

Ms T. J. Kapre, A.G.P., for the Respondent-State.

Mr Avinash Belge, for Respondent No.2.

**CORAM: M.S. Sonak &
Jitendra Jain, JJ.**

DATED: 25 June 2025

PC:-

1. Heard learned counsel for the parties.
2. This matter pertains to the assignment of the bench headed by Hon'ble Justice Ravindra V. Ghuge. However, by urging the urgency, we were persuaded to take up this matter.
3. The learned counsel for the management states that the Petitioner was appointed in the Higher Secondary Section on a Clock Hour Basis (CHB). He states that there is no such workload in the Higher Secondary Section now.

4. Learned counsel for the Petitioner states that the Petitioner was appointed in the Secondary Section, and the Management, for reasons that are malicious, has refused even to seek approval from the Department. He submits that the Management has admitted in its reply that the Petitioner was previously given work on a clock hour basis. However, he insists that the Petitioner was regularly appointed in the Secondary Section and therefore, the Management should have sought approval from the department.

5. Learned counsel for the Petitioner has also placed on record the communication dated 18 June 2025, issued by the Education Officer (Secondary Section), directing the Management not to take any coercive or precipitate action, as the matter is pending before the Court. Learned counsel for the Petitioner pointed out that the Management has gone to the extent of filing a police complaint against the Petitioner simply to frustrate the direction of the Education Officer.

6. At this stage, it is not possible for us to examine such contentious issues. The pleadings are also yet to be completed.

7. Learned counsel for the Management submitted that presently, there is no work in the Higher Secondary Section or the Secondary Section. However, he submitted that if there is any work on a Clock Hour Basis, then the same will be offered to the Petitioner without prejudice to the rights and contentions of both parties. We accept this statement.

8. However, until the Regular Bench takes up the matter, we direct that the Petitioner should be allowed to attend the school and sign the muster roll. If there is any work, on a Clock Hour Basis, as submitted by the learned counsel for the Management, the same should be offered to the Petitioner. Again, even this can be without prejudice to the rights and contentions of both parties.

9. Learned counsel for the Petitioner states that he will apply before the Regular Bench for taking up this matter on an urgent basis. Otherwise, even the learned counsel for the Management is given the liberty to apply.

10. We once again clarify that the above arrangement is strictly without prejudice to the rights and contentions of both parties. All concerned are to act on an authenticated copy of this order.

(Jitendra Jain, J)

(M.S. Sonak, J)