SUNNY ANKUSHRAO THOTE
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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1294 OF 2018

Smt. Jayashree Shivaji Jakate & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 2177 OF 2022

Randhave Sanjit Ankush & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 460 OF 2022

Vitnor Sachin Jayawant & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 12921 OF 2023

Appasaheb Rangnath Kedar & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 16775 OF 2023

Pravin S/o Dileep Dhale & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION (ST) NO. 34058 OF 2024
IN
WRIT PETITION NO. 16775 OF 2023

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

Rushikesh Sunil Patil ...Applicant

Versus

Pravin S/o Dileep Dhale & Ors. ...Respondents

WITH

WRIT PETITION (ST) NO. 90 OF 2022

Shreya Santosh Bhoir ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH

WRIT PETITION NO. 15741 OF 2024

Sagar Janardhan Khomane & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH

WRIT PETITION (ST) NO. 1282 OF 2022

Genu Dagadu Shinde ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH

WRIT PETITION (ST) NO. 1284 OF 2022

Smt. Archana Bhausaheb Divate ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH

WRIT PETITION (ST) NO. 1290 OF 2022

Keshav Ashruba Unde ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH

WRIT PETITION NO. 4839 OF 2022

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

Nitin Navanath Jadhav ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 1313 OF 2022

Smt. Yogita Vitthal Gadhave ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 4837 OF 2022

Smt. Meena Somnath Chakor ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 1352 OF 2022

Santosh Sampat Kashid ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 1357 OF 2022

Chhaya Balaso Jagdale
@ Chhaya Sanjay Thorat …Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 3454 OF 2022

Shri. Ramchandra Vithal Sawant ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 3455 OF 2022

Mrs. Sarika Ajay Ghorpade ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2199 OF 2025

Samadhan Abhiman Sakhare ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2190 OF 2025

Dnyaneshwar Baban Jagtap ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 3654 OF 2024

Ajitrao Dadasaheb Dhere & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5252 OF 2025

Rahul Shivaji Patil & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5255 OF 2025

Gorakshnath Krushnadev Khade & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 3360 OF 2024

Komal Vijay Jadhav & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 3356 OF 2024

Santosh S/o Yashwant Doke & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 3355 OF 2024

Shilpa Shivling Velekar & Anr. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5304 OF 2024

Shubhangi Dipak Nalawade & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5305 OF 2024

Bharat Shivgonda Patil & Ors. ...Petitioners

Versus

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 3366 OF 2024

Shalaka Prakash Deshmukh ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 4719 OF 2025

Pallavi Mogal Jadhav ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12654 OF 2024

Manisha Namdeo Mengar ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 9752 OF 2024

Ganesh Kalidas Godage & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5243 OF 2025

Amol Subhashrao Kharade ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5247 OF 2025

Sanket Bhausaheb Lande ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 9772 OF 2022

Jagadish Laxman Vishe & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 9770 OF 2022

Chandrakant Bhausaheb Pokale & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 9781 OF 2022

Avinash Bhanudas Barde & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 9776 OF 2022

Smt. Sarika Baburao Godase & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12800 OF 2022

Smt. Shital Chandrakant Trimbake & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 9778 OF 2022

Chandrakant Tukaram Kadam & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 13935 OF 2025

Birudev Bhajandas Kokare & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION (ST) NO. 13937 OF 2025

Supriya Subhash Salunkhe ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12653 OF 2024

Yogita Jagannath Bhise ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12656 OF 2024

Santosh Shankarrao Nisalkar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12638 OF 2024

Kiran Santaji Bhosale & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12655 OF 2024

Dnyaneshwar Gundopant Doke & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 7457 OF 2025

Rohini Baban Jagtap ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 8760 OF 2025

Tejaswini Vilas Shinde & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 8761 OF 2025

Bhagyashree Dinesh Patil & Anr. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5280 OF 2025

Kakasaheb S/o Mahadev Tele & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 7810 OF 2025

Anita Bajirao Shinde ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 8759 OF 2025

Sheetal Vasant Gaikwad ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 8757 OF 2025

Bhakti Mohan Patil & Anr. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 1522 OF 2024

Priyanka Praveen Bhoite ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 19189 OF 2024

Dnyaneshwar Sitaram Lokhande & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12413 OF 2022

Smt. Jyoti Uddhav Gore ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16159 OF 2024

Suhas Govind Jadhav ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 11997 OF 2024

Sachinkumar Shankarrao Patil & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 1836 OF 2024

Rohidas S/o Vitthal Botre & Ors. ...Petitioners
Versus
The State of Mahrashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
INTERIM APPLICATION NO. 1516 OF 2024
IN
WRIT PETITION NO. 1836 OF 2024

Rohidas S/o Vitthal Botre & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 11185 OF 2024

Pravin Dileep Dhale & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 10798 OF 2024

Gorakh Moreshwar Deokar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 11187 OF 2024

Gorakh Moreshwar Deokar & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 11188 OF 2024

The Secretary, Rayat Shikshan Sanstha & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 10800 OF 2024

Ganesh Devidas Pandit & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 10799 OF 2024

Dattatraya Dnyandev Unde & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 10802 OF 2024

Sunil Shripatrao Vairal & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 10801 OF 2024

Munna Iqbal Shaikh & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 11195 OF 2024

Nilesh S/o Shivaji Vakhare ...Applicant
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 11199 OF 2024

The Secretary, Rayat Shikshan Sanstha & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION NO. 11200 OF 2024

Santosh Ashok Devare & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
INTERIM APPLICATION NO. 11202 OF 2024

The Secretary, Rayat Shikshan Sanstha & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 1837 OF 2024

Sachin S/o Appaso Sawant & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 11636 OF 2024

Savita Devram Pawar ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 11649 OF 2024

Sampat Bapurao Aher ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 1838 OF 2024
WITH
INTERIM APPLICATION NO. 1514 OF 2024

Rupesh Ramakant Koli & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 15830 OF 2024

Jayshri Tukaram Chougule & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 5011 OF 2024

Priyanka Shyam Katkar ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 18366 OF 2024

Vinod S/o Hiraman Gavakar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 9648 OF 2022

Satish Balaso Patil ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16363 OF 2024

Kishor Raghunath Kharnar & Anr. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12328 OF 2025

Manisha D/o. Bhimrao Ugale ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12330 OF 2025

Radhika Baban Darekar ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 12349 OF 2025

Parshuram Kondiba Aakhade ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 12348 OF 2025

Tejswini Dattatraya Jagtap ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 1839 OF 2024

Prashant Vishnu Phalke & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16721 OF 2024

Sonal Machhindra Dhamane & Anr. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 17722 OF 2024

Manoj Bharat Khapale ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 5331 OF 2021

Jyoti Parashuraam Patil ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 17779 OF 2024

Laxman Gajendra Parande & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2133 OF 2024

Ganesh Mohan Jagtap & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 8755 OF 2025

Varsha Suchendra Sawant & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2132 OF 2024

Gajanan Shamrao Salunkhe & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2112 OF 2024

Chetan Prakash Mane & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 18203 OF 2024

Reshma Anandrao Gaikwad & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 2142 OF 2024

Archana Sachin Salunkhe & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2138 OF 2024

Shubhada Narayan Khatake & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 1844 OF 2024

Vijay S/o Ananda Jadhav & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2140 OF 2024

Rani Pratap Bobade & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2141 OF 2024

Vidya Bharat Pawar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 2143 OF 2024

Kailas Dhondibhau Nanekar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

WITH
WRIT PETITION NO. 17780 OF 2024

Usha Nivrutti Kuchekar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16776 OF 2023

Santosh S/o Ashok Devare & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
INTERIM APPLICATION (ST) NO. 33914 OF 2024
IN
WRIT PETITION NO. 16776 OF 2023

Rushikesh Sunil Patil & Ors. ...Applicants
Versus
Santosh S/o Ashok Devare & Ors. ...Respondents

WITH
WRIT PETITION NO. 16777 OF 2023

Nilesh S/o Shivaji Vakhare & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16780 OF 2023

Seema Suresh Dange
@seema W/o Rushikesh Kale ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16785 OF 2023

Prashant S/o Uttam Tapare ...Petitioner
Versus

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 16791 OF 2023

Ashabai Babulal Khatal ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 18611 OF 2024

Yogendra Babasaheb Bhosale ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 18862 OF 2024

Pranav S/o Prakash Mohalkar & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION (ST) NO. 36879 OF 2024

Omkar Vasant Shinde & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO. 19545 OF 2024

Sandip Harishchandra Bankar …Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 1824 OF 2024

Smt. Vandana Balasaheb Auti ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

AND
WRIT PETITION NO. 1827 OF 2024

Smt. Vijaya Vilas Dhaigude ...Petitioner
Versus
The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 12978 OF 2024

Varsha Sopan Gunjal & Ors. ...Petitioners
Versus
The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION (ST) NO. 20170 OF 2024

Koli Prakash Shivaji And Ors ...Petitioners
Versus
The State Of Maharashtra and Ors ...Respondents

WITH
INTERIM APPLICATION (ST) NO. 8816 OF 2025
IN
WRIT PETITION(ST) NO. 20170 OF 2024

Koli Prakash Shivaji & Ors. ...Applicants
Versus
The State of Maharashtra & Ors. ...Respondents

AND
WRIT PETITION NO. 2251 OF 2025

Mandakini Sampat Balgude ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 2350 OF 2025

Sagar Laxman Mhetre And Anr ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

AND
WRIT PETITION NO. 5901 OF 2025

Mr. Saple Rajendra Vaman ...Petitioner
Versus
The State Of Maharashtra and Ors. ...Respondents

AND
WRIT PETITION NO. 7378 OF 2025

Pallavi Baburao Upadhye ...Petitioner
Versus
The State Of Maharashtra and Ors. ...Respondents

AND
WRIT PETITION NO. 8015 OF 2025

Vidya Murlidhar Mohite ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION (ST) NO. 8234 OF 2025

Fatangre Mahesh Laxman ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 8699 OF 2025

Meena Popatrao Gorde And Ors ...Petitioners
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 8763 OF 2025

Vikas Hari Kumbhar ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

AND
WRIT PETITION NO. 9956 OF 2025

Pallavi Maheshkumar Shinde ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 9986 OF 2025

Barge Swapnali Murlidhar And Anr ...Petitioners
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 13704 OF 2025

Sujata Shravan Ahire ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 14914 OF 2025

Vandana Kamlesh Kamble ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 15362 OF 2025

Ganesh Dilip Bhapkar And Ors ...Petitioners
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION NO. 16055 OF 2025

Nitin Shankar Malusare And Anr ...Petitioners
Versus
The State Of Maharashtra and Ors ...Respondents

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

AND
WRIT PETITION NO. 16167 OF 2025

Somnath Babasaheb Borude ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

AND
WRIT PETITION(ST) NO. 17400 OF 2025

Rajashri Keshav Sonawane ...Petitioner
Versus
The State Of Maharashtra and Ors ...Respondents

Mr.Hasnain Kazi with Mr.Shraddha Vavhal and Ms.Simran Shaikh for the Petitioner in WP No. 5901 of 2025.

Mr.Abhijit A. Devkhile for the Petitioners in WP No. 2177 of 2022 and WP No. 460 of 2025.

Mr.Harsh S. Rathod i/b. Mr.Nitin Gaware Patil for the Petitioners in WP Nos. 12330 of 2025, 12349 of 2025, 12348 of 2025, 19545 of 2024, 12328 of 2025 and 16167 of 2025.

Mr.Vijay B. Jagtap with Mr.Siddharth Ghodke and Mr.K.B.Wagh for the Petitioners in WP Nos. 11636 of 2024 and 11649 of 2024.

Mr.Abhijit A. Devkhile for the Petitioners in WP No. 9986 of 2025 and WP (St.) No. 20170 of 2024.

Mr.N.V.Bandiwadekar, Senior Advocate with Mr. Vinayak Kumbhar, Mr.Rajendra Khaire and Mr.Aniket Phapale i/b. Ms.Ashwini Bandiwadekar for the Petitioners in WP (St.) Nos. 90 of 2022, 1282 of 2022, 1352 of 2022, 1357 of 2024, 1284 of 2022, 1313 of 2022 and WP Nos. 4839 of 2022 and 4837 of 2022.

Mr.Mihir Desai, Senior Advocate with Mr.Pradeep Yadav i/b. Mr.Saumitra Salunke for the Petitioner in WP No. 11997 of 2024.

Mr. Pradeep Yadav for Petitioners in WP Nos. 18203 of 2024, WP No. 17780 of 2024, WP No. 3360 of 2024, WP No. 3355 of 2024, WP No. 3366 of 2024, WP No. 12654 of 2024, WP No.12656 of 2024, WP No. 17779 of 2024, WP No. 2112 of 2024, WP No. 2138

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

of 2024, WP No. 2140 of 2024, WP No. 2141 of 2024, WP No. 2143 of 2024, WP No. 18611 of 2011, 4719 of 2025, WP No. 5243 of 2025, WP No. 8757 of 2025, WP No. 8760 of 2025, WP No. 8761 of 2025, WP No. 7457 of 2025 WP No. 8755 of 2025, WP No. 15741 of 2024, WP No. 7810 of 2025 and WP No. 8759 of 2025.

Mr. Saumitra Salunke, Advocate for Petitioner in WP No. 2142 of 2024 i/b Mr. Pradeep Yadav in WP No. 12638 of 2024.

Ms. Swapnali Chavan, Advocate for Petitioners in WP No. 12653 of 2024, WP No. 12655 of 2024, WP No. 2133 of 2024, WP No. 2132/2024.

Mr. Pradeep Yadav, Advocate for Petitioners in WP No. 9956 of 2025.

Mr. Mahesh Deshmukh i/b Mr. Rahul Temak, Advocates for the Petitioners in WP Nos. 16775 of 2023, 16776 of 2023, 16777 of 2023, 10798 of 2024, 10801 of 2024, 10800 of 2024, 10802 of 2024, 10799 of 2024, 1836 of 2024, 1837 of 2024, 1838 of 2024, 1839 of 2024, 1844 of 2024, 3654 of 2024, 3356 of 2024, 9752 of 2024, 19189 of 2024, 18366 of 2024, 16721 of 2024, 18862 of 2024, 5252 of 2025, 13935 of 2025, 5280 of 2025, 15830 of 2024, 16363 of 2024, 17722 of 2024, 5255 of 2025, 13937 of 2025, 8763 of 2025, 15362 of 2025, 16055 of 2025.

Mr. Arvind G. Ambetkar a/w Mr. Sandeep Gupta, Advocate for the Petitioners in WP Nos.12921/2023, 1824/2024, 1827/2024 & 8015/2025.

Mr. A. A. Kumbhakoni, Senior Advocate i/b Mr. Akshay P. Shinde, Advocates for Respondent No.4 in WP No. 16775 of 2023.

Mr.Rohit Parab for the Applicants in IA (St) Nos. 34058 of 2024 and 33914 of 2024.

Ms.Shraddha Pawar i/b. Mr.Sharad Bhosale for the Petitioners in WP Nos. 2190 of 2025 and 2199 of 2025.

Mr.Sahil Choudhary i/b. Mr.Dhananjay D. Ranaware for the Petitioner in WP No. 12978 of 2024.

Mr.Sahil Choudhary i/b. Mr. Dhananjay Mane for the Petitioners in WP Nos.7378 of 2025 and 8699 of 2025.

This order is modified by speaking to the minutes of the order dated 10th December, 2025.

Mr.Dilip Bodake for the Petitioners in WP Nos. 5304 of 2024, 5305 of 2024, 9772 of 2022 and WP (St.) Nos. 17400 of 2025, 14914 of 2025 and 13704 of 2025, WP (St.) No.8234 of 2025, WP Nos. 2350 of 2025, 2251 of 2025, 5011 of 2024, 12413 of 2022, 9770 of 2022, 9781 of 2022, 9776 of 2022, 12800 of 2022 and 9778 of 2022.

Mr. B V Samant, Addl. GP a/w Mrs. P M Joshi Deshpande, AGP for the Respondent -State in WP No. 16775 of 2023 with IA(ST)/34058/2024 WP(ST)/90/2022, WP/15741/2024, WP(ST)/1282/2022, WP(ST)/1284/2022 WP(ST)/1290/2022, WP/4839/2022, WP(ST)/1313/2022 WP/4837/2022 WP(ST)/1352/2022.

Mr. B. V. Samant, Addl. GP a/w Mr. V.G.Badgujar, AGP for the Respondent -State in WP(ST)/1357/2022, WP/3454/2022, WP/3455/2022, WP/2199/2025, WP/2190/2025, WP(ST)/3654/2024, WP/5252/2025, WP/5255/2025,WP/3360/2024, WP/3356/2024, WP/3355/2024, WP/5304/2024, WP/5305/2024, WP/3366/2024, WP/4719/2025, WP/12654/2024, WP/9752/2024, WP/5243/2025, WP/5247/2025, WP/9772/2022, WP/9770/2022, WP/9781/2022, WP/9776/2022, WP/12800/2022, WP/9778/2022, WP(ST)/13935/2025, WP(ST)/13937/2025, WP/12653/2024, WP/12656/2024, WP/12638/2024, WP/12655/2024, WP/7457/2025, WP/8760/2025, WP/8761/2025, WP/5280/2025, WP/7810/2025 WP/8759/2025, WP/8757/2025, WP/1522/2024,WP(ST)/19189/2024 WP/12413/2022, WP/16159/2024, WP/10727/2023, WP/11997/2024, WP/1836/2024, IA/1516/2024, IA/11185/2024, WP/10798/2024, IA/11187/2024, IA/11188/2024, WP/10800/2024, WP/10799/2024, WP/10802/2024 WP/10801/2024 , IA/11195/2024, IA/11199/2024, IA/11200/2024, IA/11202/2024, WP/1837/2024, WP/11636/2024, WP/11649/2024, WP/1838/2024, IA/1514/2024, WP/15830/2024, WP/5011/2024, WP/18366/2024, WP/9648/2022, WP/16363/2024, WP/12328/2025, WP/12330/2025, WP/12349/2025, WP/12348/2025, WP/1839/2024, WP/16721 /2024, WP/5331/2021, WP/17779/2024, WP/2133/2024, WP/8755/2025, WP/2132/2024, WP/2112/2024, WP/18203/2024, WP/2142/2024, WP/2138/2024, WP/1844/2024, WP/2140/2024, WP/2141/2024, WP/2143/2024, WP/17780/2024, WP/16776/2023, IA(ST)/33914/2024, WP/16777/2023, WP/16780/2023, WP/16785/2023, WP/16791/2023, WP/18611/2024, WP/18862/2024, WP(ST)/36879/2024, WP/19545/2024 and WP (ST) No. 8234 of 2025.

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Mr. B.V.Samant, Addl.GP for the Respondent -State in WP No. 1824 of 2024, WP No. 1827 of 2024, WP (St.) No. 17400 of 2025 and WP No. 5901 of 2025.

Mr. P.P.Kakade, Addl.GP a/w Smt. G.R. Raghuwanshi for the Respondent -State in WP No. 8763 of 2025, WP No. 9956 of 2025, WP No. 2350 of 2025 WP No. 8015 of 2025 and 9986 of 2025.

Mr.P.P.Kakade, Addl.GP with Ms. Priyanka Chavan, AGP for the Respondent -State in WP No. 13704 of 2025 and WP No. 14914 of 2025.

Mr.P.P.Kakade, Addl.GP with Mr.S.H.Kankal, AGP for the Respondent -State in WP No. 12921 of 2023.

Mr.B.V.Samant, Addl. GP with Mrs. P.M.J.Deshpande, AGP for the Respondent -State in WP No. 16501 of 2023.

Mrs.P.M.J.Deshpande, AGP for the Respondent -State in WP No. 2251 of 2025.

Mrs.T.N.Bhatia, AGP for the Respondent -State in WP No. 16055 of 2025.

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

RESERVED ON : 28th NOVEMBER, 2025

PRONOUNCED ON : 4th DECEMBER, 2025

FINAL ORDER (PER : RAVINDRA V. GHUGE, J) :-

1. The learned Senior Advocates and the learned Advocates appearing for the litigating sides before us, have consented to have the claims of all these Petitioners, and of those similarly situated employees, who are not Petitioners or have not

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approached any Court, to be placed before a Single Member Committee comprising of an Hon'ble retired Judge of the Bombay High Court. Therefore, we are now referring to certain details emerging from our earlier orders passed in these proceedings, so as to facilitate a bird's eye view to the learned Judge Committee. The purpose for adverting to certain orders passed earlier is only to enable the learned Judge, to have a view of the history/back ground of this litigation/proceedings, when he would deal with the claims of the Petitioners and the Management.

HISTORY/BACK GROUND OF THIS LITIGATION

2. When many of these Petitioners approached this Court and filed several Petitions, consent terms dated 13th September, 2021 were arrived at between the Assistant Teachers and the Respondent/Management, which were placed on record in Writ Petition No.2549 of 2018. All those Assistant Teachers claimed to have been working on temporary basis or clock hour basis or ad-hoc basis, etc.

The consent terms indicate that the Petitioners before the Court would be reinstated on the basis of availability of 'subject wise posts' and their 'subject wise seniority'. A combined list of such Petitioners would also include names of other similarly

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situated teachers, who have not approached the Court, but who were in service of the Management till the academic year 2016-2017. The consent terms provided a mechanism which would facilitate taking the Petitioners on 'unaided' establishments, obtain approvals for such deployment from the concerned education department and then transfer them to full time Assistant Teachers on sanctioned aided establishment, strictly as per their seniority and availability of subject wise vacant posts. All the Petitioners agreed to give up their past monetary claims by tendering undertakings.

However, further problems emerged as regards the implementation of the consent terms, leading to the present round of litigation.

3. The Management had filed an affidavit in terms of the order of this Court dated 27th August, 2024 indicating that they had 1144 vacant posts available in the aided establishment for the Primary, Secondary and Higher Secondary Schools. 814 out of these available posts, were advertised on the Pavitra Portal. A seniority list which was formalized in accordance with the consent terms, indicated 1626 persons which included 268 Petitioners and 1358 Non-Petitioners. It was agreed that they would be first accommodated in the 'unaided division' and thereafter in the 'aided

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division', as per their seniority.

4. During the several lengthy hearings in these proceedings, several disputed issues cropped up. Several directions were issued to the Management and the State Government, calling for better details to be placed before the Court. However, the issues being raised before the Court, the stands taken by the respective sides and the prayers/demands of the employees, seemed to complicate the issues even further and there was no resolution to the issues, visible even on the horizon. The Management was getting anxious as the vacancies were growing due to several factors, and recruitment was getting delayed. The education of thousands of students began to suffer due to lack of appointment of teachers and the largest education institution in Asia, was crumbling under the pressure of meeting the needs of the students.

5. On 12th February, 2024, this Court at the Aurangabad Bench, dealt with Civil Application No.1873 of 2024 in Writ Petition No.180 of 2024 ***(Gorakh Moreshwar Deokar and Ors. V/s. The State of Maharashtra and Ors.)*** and connected matters, and passed an order, which reads as under :-

1. In the Writ Petitions, we had initially issued

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notice on 19th October, 2023. The Parties were served. On 4th January, 2024, we granted the Education Society time to file it's reply till 17th January, 2024. Even on 17th January, the reply was not filed. So an order was passed that the affidavit in reply should be filed on or before 8th February, 2024. Even then, the Education Society has not filed the Reply.

2. Today, these Petitioners are before us through their Civil Applications with the grievance that the compromise terms arrived at in Writ Petition No.2549 of 2018 between the Petitioners and the Respondent Education Society before this Court at the Principal Seat, dated 13.09.2021, are not being complied with. Paragraph Nos.3 and 4 are read out to us, which are as under :

> *"3. After the Petitioners would be reinstated as mentioned hereinabove, the Respondent Management shall prepare a combined list of all the Petitioners, working on temporary and Clock Hour Basis. The said combined seniority list shall also include the names of other Teachers, who have not filed similar Writ Petitions in this Hon'ble Court against the Management, but who were in service under the Respondent Management till the Academic Year 2016-2017. The seniority of the Petitioners shall be on the basis of the date of their initial appointment under the Respondent Management. Such a seniority list shall be prepared by the Respondent Management within a period of 6 weeks from today and thereafter the same shall be published on the website of the Management and it shall also be circulated amongst all the Petitioners for verification and confirmation, and the Petitioners shall sign the said combined seniority list in token of having accepted the same within a period of 15 days.*

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After the Petitioners would be reinstated as mentioned hereinabove, the Respondent No.3 shall prepare a combine seniority list from A.Y.1990 to A.Y. 2016-2017 of all the Petitioners as well as of those Teachers who have not filed the Writ Petitions, but who were actually in service in the A.Y. 2016-2017.

4. The Respondent - Management shall utilize / operate the aforesaid combined seniority list for the purposes of making appointments of the Petitioners and other Teachers on the permanent posts, as and when the permanent vacancy would become available in the Schools / Junior Colleges of the Respondent - Management. However the same shall be subject to the condition of concerned Teachers included in the said combined seniority list showing their readiness and willingness and giving Undertaking that they are ready to join any School / Junior College of the Respondent - Management where he shall be posted, and he shall not insist for a particular place or post, with further compliance with regard to the educational qualifications required for the said post, but being granted the age relaxation required for the said post."

3. The learned Advocate for the Respondent Education Society submits that the reply will be filed within three days. The learned Advocate for the Petitioners submits that today is the last date for locking the preference by those petitioners, whose names are set out in the common seniority list, which is prepared. We are informed that many of the Petitioners have applied and may be considered, but some of them have not. We grant liberty to those Petitioners or such employees who may have not applied/locked their preferences, to immediately make their applications through the Online process which is to end today. We permit

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those who have not applied, to lock their preferences, through the Online mode till 11.59 p.m. today.

4. Let the reply of the Education Society be filed on or before 16.02.2024.

5. List these Civil Applications in the urgent orders category on 21.02.2024. Until then, the appointments shall not be made.

6. In one of the further hearings, this Court had passed the following order :-

" On 04/7/2024, we had passed the following order :
In these petitions, as pointed out by the learned Counsel for the parties, reply of the State would be necessary.

2. Considering the likely impact of the decision on the subject matter, the Secretary, School Education and Sports Department, State of Maharashtra will ensure that necessary instructions are given to the Office of the Government Pleader within a period of three weeks from today so that reply can be filed before the next date.

3. Stand over to 7 August 2024.

4. The learned Addl. GP states that copy of this order will be forwarded to the Secretary, School Education and Sports Department."

2. We have entered in 2025, but till date unfortunately, the State Government has failed to comply with the aforesaid direction.

3. Schedule 'F' relating to the seniority list as contemplated under Rule 12 of the Maharashtra

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Employees of Private Schools (Conditions of Service) Rules, 1981, set out the guidelines for fixation of seniority of teachers in the Primary Schools/Secondary Schools/Junior Colleges etc and category 'C' of schedule 'F' underwent the substantial amendment by issuance of notification on 24/03/2023, by the School Education and Sports Department.

Category 'C' itself stood substituted by a new category and definitely this has impacted a large number of teachers working in Primary Schools/Secondary Schools/Junior Colleges.

The crucial point for determination in order to assess how much it has impacted the teachers is firstly to ascertain whether the notification dated 24/03/2023, will have prospective operation but we are informed that the Director/Deputy Director of Education Department have already issued directions for revising the seniority list under category 'C' by applying the notification of 24/03/2023.

We specifically queried with Shri. Samant, the learned Additional Government Pleader, as to whether the notification is given a retrospective effect by clearly indicating so, and according to him prima facie no such indication is visible.

If it is not so, then the normal rule for interpretation of a statutes would come into picture. However, since we are aware that large number of teachers are awaiting the decision of the State Government on this point, whether it will have a retrospective effect and we have already directed the State Government to make its stand clear as early as in July, 2024, we expect the Principal Secretary, School Education and Sports Department to file his affidavit, restricting himself only to the point whether the notification issued on 24/03/2023, has a retrospective effect and if if is so, on what basis does it claim to be so.

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We direct the affidavit to be filed on or before 24/01/2025, and pursuant thereto, we direct listing of the petition on 29/01/2025, at 2:30 p.m.

4. Since, learned counsel Mr. Desai, representing the petitioner has made it very clear that if this clarification comes from the State Government, the issue involved in the Writ Petition would be much more simplified and according to us not only in this group of Petition but several other petitions this question is repeatedly raised, and we hope and trust that the Education Department shall offer the desired clarification at the earliest to save multiple proceedings being instituted in this Court.

Across the bar we are informed that several petitions filed before the Principal Seat as well as the benches, which involve the similar issue about the effect of the notification issued by the State Government. To be listed along with WP No. 11245 of 2023, WP No.3908 of 2024 and WP No.3845 of 2024.

WRIT PETITION NO.16776 OF 2023

5. In Writ Petition No.2549 of 2018, the Consent Terms were tendered in the Court on 13/09/2021, which recorded a consent on part of the respondent Management to reinstate the petitioners in the petitions, who were working as Assistant Teachers in the respondent Management on temporary basis/clock hour basis and/or, who were discontinued after filing the present Writ Petition.

A consensus was reached that the petitioner is reinstated in the respective post/schools and they shall continue on the same post.

The Consent Terms also record that the

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reinstatement of the petitioner shall be on the basis of the availability of subject-wise post and the seniority of the petitioner in that subject for the purpose of reinstatement only.

6. Paragraph no.3 of the Consent Terms recorded that the Management shall prepare a combined list of all the petitioners, working on temporary and clock hour basis, and it shall include the name of the other teachers, who have not filed similar Writ Petitions before the Court, but who were in service of the respondent- Management till the academic year 2016-2017. This list was agreed to be prepared within period of 6 weeks and publish on the website of the Management and to be circulated for verification and confirmation.

The Consent Terms set out the mechanism by which the petitioners would be initially taken on no grant basis and approval shall be accorded to them by the Education Department of the State Government and subsequent thereto, they shall be transferred to the full time Assistant Teachers sanctioned on aided basis, strictly as per their seniority and subject to availability of the vacant posts of their respective subject.

The Consent Terms expected it to be a step wise procedure and the petitioners have agreed to give up their monetary claim, by filing an undertaking.

7. We have before us the petition filed by one Santosh Devare and 6 ors, who were not party to the Writ Petition No.2549 of 2018, but derive its benefit from the consensus recorded in the Consent Terms, urge that once they are placed in the seniority list that has been prepared by the Management the same modus operandi for their absorption first in the unaided and then in the aided section shall be made applicable to them.

A group of petitions are listed before us pursuant

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to an administrative order passed by the Hon'ble the Chief Justice and we had received the petitions from Aurangabad Bench, which are tagged and listed today.

8. On hearing the respective counsels for the petitioners, each petition depicting a different scenario and Mr. Kumbhakoni, Senior Advocate, appearing for the Management Rayat Education Society, as well as Mr. Samant, representing the State Government, we are of the view that the procedure need to be streamlined as now not only the petitioners, but those who have not filed the petition but are seeking extension of the benefit of the Consent Terms dated 13/09/2021, are before us and along with them we have the persons, who had been selected through Pavitra Portal, pursuant to 814 posts being advertised,who are awaiting their turn to be accommodated in the aided section of the various schools run by the Management.

We are prima facie of the view that, we should at the outset ensure compliance of the Consent Terms dated 13/09/2021, qua the petitioners along with the non-petitioners, as now the Management has prepared a common seniority list and they deserve an equal treatment despite the fact that they were not the petitioners earlier.

9. We have before us an affidavit filed by the Joint Secretary of Rayat Shikshan Sanstha, Satara, in terms of the order dated 27/08/2024, from where we can collate, that the respondent Management had total 1144 vacant seats available in aided and this included the post on Primary, Secondary and Higher Secondary schools. Out of these posts 814 were advertised on Pavitra Portal, covering the three divisions.

On the other hand, the seniority list which was drawn in terms of the Consent Terms is prepared of 1626 persons, which included 268 petitioners

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and 1358 non-petitioners.

As per the Consent Terms, the seniority list is to be operated in a manner that the persons named in the seniority list shall be first accommodated in the unaided division and thereafter in the aided division.

The affidavit contain a specific statement in paragraph no.13, that the Management has forwarded the proposals for appointment of 610 candidates in the unaided division and this include 250 proposals of the petitioners and 360 of those, who were not the petitioners.

Out of this 610 proposals 269 are approved by the Education Department and this include 246 petitioners and 23 non-petitioners.

10. Looking at the aforesaid statistics prepared in the affidavit, we were surprised to see as far as non-petitioner category is concerned out of 360, the Education Department had only considered 23, teachers fit for approval and these candidates are further circulated for their consideration in the aided division.

At this stage itself, we would like to have the response of the State Government as to why the proportion of rejection of the proposal of the non-petitioners is comparatively higher as against the petitioners as 246 persons out of 250 have received approval from the Education Department on unaided posts. Out of these 246, which received approval, 238 where proposed for transfer to the aided division, out of which 221 proposals have received approval from the Education Department, and only 4 out of the 23 are considered eligible for being accommodated on the aided posts.

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11. What is prima facie evident to us is the discrepancy in the figures of the petitioners proposals and the proposals of the non-petitioners and since, we find a huge variance, we would like Mr. Samant, the learned Additional Government Pleader, to produce before us the data in a tabular form in respect of the 360 non-petitioners, of whom only 23 have been approved on unaided basis.

12. Since, the Consent Terms are executed on 13/09/2021, it is almost 4 years when the whole mechanism ought to have been worked out, but for some reason the procedure is dragging its feet, and though we do not intend to blame anyone at this prima facie stage, but expect the cooperation of the Education Department, as well as the Management, as the Management being represented by Mr. Kumbhakoni, has willingly stated before us that they are ready to abide by the understanding arrived as recorded in the Consent Terms, but the posts must be available for the accommodation.

13. There is no clarity as to how many posts on aided and non-aided division are available, and, therefore, we direct Mr. Kumbhakoni, the learned Senior Counsel representing the Management to place before us the following:

a) The statistics about the available posts with the respondent Management on aided and non-aided division as on 31/12/2024.

b) The projection of the posts, which are likely to fall vacant and available for being filled in on aided and un-aided division for two years i.e. 2025 and 2026.

c) The present statistics of the aided and un-aided posts, which are occupied in the respective schools including the petitioners, who are

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> *appointed or absorbed in either aided or unaided division in terms of the Consent Terms dated 13/09/2021.*
>
> *14. We can only express that, the aforesaid information would be of some assistance to us in redressing the grievance raised before us to various Writ Petitions by the persons, who have agreed to give up their back-wages, and also await salary, when they are brought on aided basis as presently they are being paid only by the Management, and despite having been worked for a longer period of time. We direct Mr. Samant, to file an affidavit before us while he places the data about how they are processing the proposals of the non-petitioners, and how many proposals are pending before them as on date.*
>
> *Let the affidavit be filed within a period of four weeks with the direction to furnish the affidavit in advance to the counsel for the petitioners. Re-notify to 10/02/2025, at 2:30 p.m.*
>
> *Interim orders if any in operation are continued till the next date.*

7. In one hearing held on 21st April, 2025, we had the able assistance of the learned Advocate General of the State of Maharashtra, Dr. Birendra Saraf, along with the learned Senior Advocates, Mr. Kumbhakoni and Mr. Desai, who represented the sides. A strong need for resolving this issue was voiced by one and all.

8. In our order dated 21st April, 2025, the submissions of

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the learned Advocate General, Dr. Birendra Saraf and the learned Senior Advocates, Mr. Kumbhakoni and Mr. Desai, were noted from Paragraph Nos.7 to 12, as under :-

> *"7. The learned Advocate General has canvassed before us that the State Government is facing a peculiar situation. On the one hand, the Education Society has entered into a compromise with several Petitioners. However, since some of the appointments made by the Education Society appear to be dehors the rules, the Government cannot grant approval to such appointments through a sweeping common order. The proposals that were forwarded to the Government were considered and out of 610 such proposals seeking approval, 274 were allowed and 336 have been rejected.*
>
> *8. The further difficulty with the State Government is that the Pavitra Portal selectees are waiting for more than 15 months for appointments. Having passed the selection test through the Pavitra Portal, they have a legitimate right to be appointed since there are vacancies available and their selections, subject-wise, are meant for filling up such vacancies. According to the records, as on date, there are around 1481 vacancies on the aided establishment. He submits that these Pavitra Portal selectees are now becoming restless and are praying for liberty to opt for other Institutions where permanent posts on the aided establishment are available. They are under a prohibition to change their options since once they opt for a particular Institution while undergoing the Pavitra Portal selection, they are not permitted to change their options and shift to any other Education Institution.*
>
> *9. The learned Advocate General, therefore, prays that by deducting the number of Petitioners before this Court today, out of the 1481 vacancies on the aided establishment, permission be granted by slightly modifying the earlier order, for recruiting the*

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Pavitra Portal selectees. Insofar as the Petitioners before this Court are concerned, equal number of vacancies, out of 1481, may be kept vacant and the Petitions may be heard finally.

10. The learned Senior Advocate Mr. Kumbhakoni appearing on behalf of the Rayat Education Society submits that there are hundreds of posts which are vacant today and unless these posts are filled in, object of imparting education is likely to be in jeopardized. There are continuous vacancies that are occurring, primarily on account of retirements or promotions and on account of voluntary retirement, medical disability or the demise of an employee. According to their records, it appears that in the coming two years, another about 400 plus vacancies are expected.

11. The learned Senior Advocate Mr. Desai and the learned Advocates along with him submit that, number of posts on the aided establishment, equal to the number of the Petitioners before the Court today, be kept vacant in order to enable a reasonable opportunity to these Petitioners to establish their case before the Court and in such an eventuality, they would stand a good chance for being appointed atleast on the unaided establishment, if not directly on the aided establishment. They are Teachers who have been working for more than one decade and some are working even beyond two decades, for whom, a claim for being absorbed on the aided establishment, would be a prayer that would be strongly presented to the Court. They are all united in submitting that out of the 1481 vacancies on the aided establishment, the posts commensurate to the number of the Petitioners as on date, may be kept vacant in order to give a fair chance to these Petitioners to make out their case before the Court.

12. In view of the above, the earlier order of this Court dated 12th February, 2024 would stand modified in the above terms."

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9. We then concluded in the said order dated 21st April, 2025 in Paragraph Nos.15 to 19, as under :-

> *"15. For the purpose of making an assessment of the number of Petitioners, who have been in employment from or before the Academic Year 2016-2017 in the reverse order, for the sake of reference, the learned Advocates of these Petitioners would tender a list of such Petitions, with the number of Petitions and the number of Petitioners, within 15 days. Such list shall be forwarded to the State Government by the Management after conducting a due scrutiny to assess as to which of the Petitioners are working in the Academic Year 2016-2017 and prior thereto.*
>
> *16. Insofar as the long list of Pavitra Portal selectees available with the State Government and for which the learned Advocate General has sought a relaxation, we record that after filling in the posts of vacancies on the aided establishment in the order of merit and subject-wise/reservation-wise, the available Pavitra Portal selectees, who were not able to be allocated the posts by following the aforesaid exercise, would be permitted to change their options. The State Government, without laying down any precedent and as a one time measure in the peculiar facts and circumstances, would allocate such Pavitra Portal selectees to available Institutions where vacancies on aided establishments are available and such candidates, would then be deployed with such Institutions by strictly following their merit list and subject/ reservation. This would be subject to any option as may be exercised by such Pavitra Portal allottees.*
>
> *17. Let this exercise be completed within 45 days after receiving the list from the Management and the options exercised by the Pavitra Portal allottees, once they have expressed their modified preferences.*
>
> *18. Insofar as those proposals, which have been rejected by the State Government, pursuant to the*

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earlier orders of this Court, the aggrieved candidates would be at liberty to avail of a remedy as is permissible in law. We expect that the decision rejecting such proposals would be communicated to the respective Managements as well as the employees, expeditiously. The decisions may be communicated within three weeks, if not yet communicated.

19. Insofar as the vacancies on aided establishments, which are to be filled in, in the light of the aforesaid directions, the Education Society shall prepare proposals in the order of merit and forward them for approval to the competent Authority of the State Government."

10. In our order dated 9th October, 2025, we issued certain directions below Paragraph No.3(a to d), as under :-

3. All these matters are getting adjourned today as there is no meeting of minds at this stage, between the Management and the employees. We call upon the Management to give us ready reference charts / data as under :-

(a) All such teachers, who are the Petitioners before us as well as similarly placed employees, who have not approached the High Court and who have been appointed prior to the Judgment of this Court in PIL No.8 of 2015 Judgment dated 2416 of 2025.

(b) All such teachers who have been appointed prior to the above-stated Judgment of this Court, on clock-hour basis.

(c) list of teachers, who were appointed prior to the Judgment, including (the Pavitra Portal), and are presently working on aided establishments, without approval.

(d) A separate list of teachers, who have also been appointed prior to the Judgment, introducing the Pavitra Portal, on un-aided establishments."

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11. In view of the above, we notice that there are seriously disputed innumerable issues which needed a resolution for the serious difficulty of lack of permanent teachers in one of the largest Education Institution in Asia conducting 453 Secondary Schools, 67 Primary Schools, 8 Aashram Schools and 42 Senior Colleges and allied institutions in the State of Maharashtra. The State Government was also expected to adopt a reconciliatory stand and assist in not only resolving the issue of employment of these Petitioners and identically placed teachers, but even the larger issue of timely deployment of teachers in various institutions for imparting education to lakhs of students. It is a legitimate expectation of every employee to have respectable service conditions, security of employment and lead a dignified life. In the absence of either, the employee would have no peace of mind. In the case of a teacher, security of employment would facilitate wholehearted involvement of the teacher in his primary and foremost duty of imparting education to children.

12. In the above backdrop, we called upon the learned Senior Advocates and the learned Advocates for the appearing parties, to brainstorm on this issue and explore the possibility of a reasonable resolution. While doing so, each candidate cannot have

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the mindset that he/all would have the best of the available options. If a resolution is to be reached to resolve this enormous issue, it would be necessary for all the parties to adopt a reconciliatory stand.

13. We were informed in the hearing today, 28th November 2025, that an initiative was taken by the Senior Advocates as well as the learned Advocates representing the parties and all agreed to refer this dispute to a Single Member Committee. Such Single Member would preferably be a retired Judge of the High Court and who would be assisted by deployment of staff by the State Government. We are informed that there is a consensus in having Hon'ble Shri Justice Rajesh G. Ketkar (retired Judge of the Bombay High Court), as the single member committee.

14. In view of the consensus, the parties have presented the following aspects for the consideration of the said Committee :-

[A] **Learned Senior Advocate Mr. Kumbhakoni - Management**

a) Some teachers working with the Institution who were not permanent employees filed Writ Petition No. 2549 of 2018 in this Hon'ble Court basically seeking regularization. In this Petition Consent Terms dated 13/09/2021 were filed and the Petition was

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disposed of finally in terms thereof by the order dated 13/09/2021, which has thereafter been clarified on 29/10/2021.

b) It is most pertinent to note that these Consent Terms were entered into by and between the employees and the Institution alone and the State Government as such was not a party to the same.

d) Salient features of the Consent Terms dated 13/09/2021 filed in Writ Petition No. 2549 of 2018 may be summarized as under.

i) Admittedly, the Petitioners in the aforesaid proceedings were working as Asstt. Teachers on temporary basis or CHB on non-grant posts:

ii) Petitioners were to be reinstated where they were working prior to their discontinuation i.e. on non-grant post and where the posts commensurate to their education qualifications are available.

iii) Petitioners therein undertook to join “such post” where they would be reinstated, without insisting for any particular post.

iv) The terms and conditions of their reinstatement shall be

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the same of their original appointment.

v) Reinstatement was on the basis of availability of subject-wise post and seniority of the Petitioners on that subject-wise category for the purpose reinstatement only.

vi) After reinstatement, combined seniority list of all the Petitioners working on Temporary basis and CHB was to be prepared.

vii) The above seniority list was to mention names of non-petitioners who were in service of Respondent No. 4 from Academic year 1990 till Academic year 2016-17 and the names of only those who were actually in service in the A.Y. 2016-17 was to be included.

viii) This seniority list was to be operated for appointments of the Petitioners and other teachers on permanent posts, as and when the permanent vacancy would become available in School/Jr. Colleges.

ix) The Respondent No. 4 was to send proposal to the Education Officer/Dy Director of Education seeking approval of appointment of all the Petitioners and Asstt. Teachers on

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Temporary basis or CHB from the date of their initial appointment.

x) After receipt of such proposal, the concerned EO/Dy. Director of Education, after scrutiny, was to grant approval within 6 weeks from receipt of such proposal.

xi) In case any individual proposal is rejected, the aggrieved person had liberty to file appropriate proceedings against the Education Dept, wherein Respondent No. 4 was impleaded as formal party only to limited extent to implement the order of approval if granted in such proceedings.

xii) After grant of approval by the EO/Dy. Director of Education, Respondent No. 4 undertook to transfer such 'approved Petitioners' working on 'unaided' posts to the Full time Asstt. Teachers sanctioned on 'aided' basis, as per seniority and subject availability of vacant posts of respective subject.

xiii) In the backdrop of the aforesaid salient features of the Consent Terms, the case of the present group of Petitioners is required to be considered. Most of the Petitioners in the present

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group of Petitions were not the Petitioners in the aforesaid Petition in which the aforesaid consent terms were filed (hereinafter referred to as 'non-Petitioners' for brevity).

xiv) The Respondent No. 4 has already prepared the combined seniority list as contemplated in the Consent terms. The said seniority list is no longer in dispute. This seniority list contains 952 persons appointed on CHB basis and 654 persons appointed on temporary/lumpsum basis, who were working in the academic year 2016-17. This seniority list does not contain persons working with the *Adhyapak Vidyalaya*, leave-vacancy and self-finance institutions. These excluded persons have also filed Petitions that are part of the present group.

xv) The aforesaid undisputed seniority list contains 259 original Petitioners from the Petition in which the aforesaid consent terms were filed. Additionally, it also contains 1367 non-Petitioners.

xvi) So far, 259 Petitioners and 351 non-Petitioners, total 610 persons, have already been appointed in the unaided vacant posts, out of the aforesaid seniority list of 1626 persons. The Institution forwarded their proposal for approval. Total 274 proposals are approved out 610. Out of 274, 238 are transferred to aided posts.

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Balance 36 are not transferred to aided posts on account of unavailability of subject-wise vacant posts to accommodate them.

xvii) However, now the State Government has stopped granting approval for new unaided posts. As and when the approved teachers are transferred to aided posts, unaided posts become available to accommodate those who are in queue. Thus, Respondent No. 4 is implementing the consent terms in its true letter and spirit.

xviii) Recruitment through ‘Pavitra Portal’ is a process of recruiting eligible candidates ‘directly’ on ‘unaided and aided’ posts unlike the Petitioners and non-petitioners who are beneficiaries of consent terms, who are required to be firstly appointed on “unaided” vacant posts, on the basis of seniority and expertise in subject, then such appointment is required to be approved by the Competent Authority and, thereafter, they are to be transferred to ‘aided’ posts again on the basis of seniority and availability of subject-wise post. Thereafter, again approval is required to be granted to such transfer by the State Government. Appointments of persons recommended by the State Government through Pavitra Portal are not required to be approved by Education Department.

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xix) The Institution vide its proposal/representation dated 12/09/2023 has requested the State Government that it ought to also consider the proposals submitted by the institution for approval, relating to the non-Petitioners and ought not to restrict the same to the Petitioners. The same is still pending consideration with the State Government.

xx) While implementing the Consent Terms the Institution has realized that, persons included in the aforesaid indisputable seniority list are working in large numbers in the Higher Secondary branch. Whereas there are lesser number of vacancies in that branch i.e. Higher Secondary. On the contrary there are large number of vacancies in the Secondary branch. Whereas, lesser number of persons from the aforesaid indisputable seniority list are working in that branch i.e. Secondary. There are many persons working in the Higher Secondary branch who were/are willing to take up the employment in the Secondary branch, in implementation of the aforesaid Consent Terms. However, Rule 41A (1)(d) of the MEPS Rules 2020 does not permit such transfer. Therefore, the Institution has submitted a proposal/representation with the State Government on 15/09/2023 seeking relaxation in the said Rule and permit the Institution for such absorption, which is still pending consideration

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of the State Government.

xxi) In terms of the Rule 41A (1)(c), before transferring any employee from unaided branch to aided branch such employee is required to complete minimum 5 years of service on the unaided side. In implementation of the Consent Terms, it is neither possible nor permissible to appoint anyone directly on the aided side, though vacancies are available thereat. Therefore, if the requirement of the aforesaid period of minimum 5 years' service on the unaided side is relaxed, it will be possible to shift approved teachers working on unaided side to aided side, thereby also creating vacancies on unaided side for speedy implementation of the aforesaid Consent Terms.

xxii) In the backdrop of the aforesaid facts, the following Terms of Reference are framed for consideration:

a) While considering the approval proposals submitted by the Management in terms of Consent Terms, whether the Competent Authority is required to make an inquiry on the aspect as to whether proper procedure as contemplated in law was followed by the Management while recruiting such teachers, more particularly in view of the fact that in some

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cases this inquiry was not undertaken by the Competent Authority?

b) Whether the non-petitioners i.e. who were not petitioners before the Court in which petitions the Consent Terms were filed are covered by the said Consent Terms and whether on the ground that the proposal is of non-petitioner the Competent Authority can reject the proposal?

c) Whether the benefit of Consent Terms can be extended to Assistant Teachers appointed purely on CHB, leave vacancy and self-financed institutes of Management?

d) Whether the benefit of consent terms can be extended to Assistant Teachers who initially were appointed on CHB but later on were appointed by the Management on Adhoc/temporary basis?

e) Whether in view of restriction pertaining to transfer of teachers from secondary to higher secondary and vice-versa contained in Rule 41A (1)(d) of the MEPS Rules 2020, teachers appointed in the Higher Secondary School can be transferred to Secondary School by creating an exemption and/or relaxing such condition in the peculiar facts of the present case?

f) Whether the condition contained in Rule 41A (1)(c) of the

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MEPS Rules to the effect that unless a Teacher completes 5 years of service in unaided division he/she is not entitled to be appointed on the aided division of the Management can be applied/relaxed in the peculiar facts of the present case ?

g) Whether, in view of the vacancies available on aided division and the prolonged service rendered by the Petitioners, maybe on CHB/Part time/temporary/lumpsum basis but taking full time workload, the said Petitioners are entitled to be directly regularized against the available aided posts in a time-bound manner, thereby dispensing with the intermediate stage of 'initial absorption on unaided posts"?

h) Whether the proposals for approval of appointment/continuation of the Petitioners, which have been submitted by the Management and are currently pending with the Education Officer/ Dy. Director of Education for a substantial period, are required to be decided within a time-bound as fixed by the Committee to facilitate their inclusion in the absorption process?

i) Whether the teachers who are already working on aided/grantable posts for a prolonged period and are included in the Combined Seniority List, are entitled to immediate regularization against the said aided posts on priority basis by

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adhering to the Seniority list?

j) Whether the Assistant Teachers who were not in service prior to the academic year 2016-17 but were appointed either for some part of the academic year or for the entire academic year 2016-17 are entitled to seek benefit under the Consent Terms on the basis of such appointment?

[B] **In addition to the above, note by Advocate Mr. M.S.Deshmukh**

Whether the proposals for approval of appointment/continuation of Petitioners, which have been submitted by the Management and are currently pending with the Education Officer/Deputy Director of Education for substantial period or returned or rejected are required to be decided within a time bound manner as fixed by the Committee to facilitate their inclusion in the absorption process?

[C] **Note by other Advocates**

The Committee can decide cases of all teachers covered under the consent terms working in Rayat Institution Schools upto 2016-17 or prior thereto, whether such persons were

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parties to the consent Terms or not and whether such persons were party to the present group of Petitions. Therefore, no such teacher as above who does not participate in the proceedings before the Committee/Commission, shall be entitled to raise any claim for appointment and it will be presumed that such teacher has given up his/her claim for appointment. The management of Rayat shall publish a notice on its Notice board informing all teachers about the formation of such Committee.

[D] **The learned Additional G.P., Shri. Samant, on instructions and in consultation with the State Government**

a. The venue for the Committee work at Mumbai shall be arranged by the State Government.

b. One Stenographer and Two Assistants shall be provided to the Committee.

c. All conference-related expenses of the Committee, including conference room charges, conveyance, refreshments, etc. shall be borne equally by the State Government and Rayat Management.

d. The honorarium of the learned Member of the Committee shall be paid equally by the State Government and

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Rayat Management.

15. We make it clear that, besides the issues as suggested by the parties and as are reproduced herein above, if the learned Member finds incidental or co-related issues emerging from the records for his consideration, he would be at liberty to deal with them.

16. Each of the (a) Petitioners and those individuals who have not initiated any litigation, but are identically placed, (b) the Management and (c) the authorized representative of the State Government through the Education and Sports Department, would present their cases before the learned Member, for consideration.

17. We leave it to the learned Member to device a procedure, as he may deem fit and appropriate, for conducting the proceedings. This would include, permitting the parties to submit their written claims and submissions, their documents, proof of having worked, etc. He is authorised to direct the State/Management/individuals, to put up notices of hearing, invite the claims/submissions, direct filing of documents, etc. and the parties will be obliged to follow his directions/instructions.

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18. It would be open for the Petitioners/individual teachers to either have a representative to represent their cases, or entrust the same to any office bearer of their Association or their Advocates, to espouse their cause before the Committee. Similarly the Education Department as well as the Management would represent themselves in a manner they desire, for representing their stand before the Committee. Such person should be an officer who has the authority to make statements for and on behalf of the State.

19. It is requested that the learned Member would submit his report to the Management and a copy to the Principal Secretary, Education and Sports Department, preferably on or before 31st May, 2026. If he finds that it is not possible to submit a report within the above prescribed timeline, the Management would file a single Interim Application before this Court in the first Petition for seeking extension of time.

20. After the learned Member tenders his report to the Management/State, the Management would initiate appropriate steps for implementing the suggestions of the Committee. The State Government through its Education Department, would issue consequential orders as may be necessary under the provisions of

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the MEPS Act and the MEPS Rules, 1981.

21. After such decisions are arrived at and orders are passed, if any party is aggrieved, it would be at liberty to seek redressal of its grievance, in a manner as may be permissible in law.

22. All the parties shall bear in mind that they would maintain the decorum of the proceedings and the dignity and respect of the learned Member, while participating in the proceedings.

23. In view of the above, **all these Writ Petitions are disposed off**. All pending **Civil/Interim Applications**, **stand disposed off**.

(ASHWIN D. BHOBE, J.) **(RAVINDRA V. GHUGE, J.)**

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