

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

(901) WRIT PETITION NO.5456 OF 2025

The Maharashtra Rajya
Padvidhar Prathamik Shikshak Va
Kendrapramukh Sabha & Ors.

.. Petitioners

Vs.

The State of Maharashtra & Ors.

.. Respondents

WITH
INTERIM APPLICATION (ST) NO.25647 OF 2025
IN
WRIT PETITION NO.5456 OF 2025
WITH
INTERIM APPLICATION (ST) NO.21996 OF 2025
IN
WRIT PETITION NO.5456 OF 2025
WITH
WRIT PETITION (ST) NO.13145 OF 2025
WITH
CONTEMPT PETITION NO.412 OF 2025
WITH
WRIT PETITION NO.5759 OF 2025
WITH
WRIT PETITION NO.6213 OF 2025
WITH
INTERIM APPLICATION (ST) NO.24313 OF 2025
IN
WRIT PETITION NO.6213 OF 2025
WITH
WRIT PETITION (ST) NO.15761 OF 2025
WITH
WRIT PETITION NO.6028 OF 2025
WITH
WRIT PETITION (ST) NO.15782 OF 2025
WITH
WRIT PETITION (ST) NO.16603 OF 2025
AND
(902) WRIT PETITION NO.7548 OF 2025
WITH

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(903) WRIT PETITION NO.7552 OF 2025
WITH
(904) WRIT PETITION NO.8239 OF 2025
WITH
WRIT PETITION NO.8753 OF 2025
WITH
WRIT PETITION NO.8754 OF 2025
WITH
INTERIM APPLICATION NO.10267 OF 2025
IN
WRIT PETITION NO.8754 OF 2025
AND
(905) WRIT PETITION NO.8946 OF 2025
AND
(906) WRIT PETITION NO.9224 OF 2025
AND
(907) WRIT PETITION NO.9276 OF 2025
AND
(908) WRIT PETITION NO.9977 OF 2025
AND
(909) WRIT PETITION NO.10213 OF 2025
AND
(910) WRIT PETITION NO.10321 OF 2025
AND
(911) WRIT PETITION NO.10432 OF 2025
AND
(912) WRIT PETITION NO.10433 OF 2025
AND
(913) WRIT PETITION NO.10470 OF 2025
AND
(914) WRIT PETITION NO.10497 OF 2025
AND
(915) WRIT PETITION(L) NO.17362 OF 2025
AND
(916) INTERIM APPLICATION NO.20158 OF 2025
IN
WRIT PETITION NO.5460 OF 2025
AND
(917) WRIT PETITION (ST) NO.24468 OF 2025

Mr.Girish Godbole, senior counsel a/w. Swanand Ganoo i/b. M/s.Aditya Raut, advocate M/s.Desai Desai Carrimjee & Mulla, advocate for the petitioners in W.P.(L) No.17362 of 2025.

Mr.Manish Gawde, AGP for respondent nos.1 to 4 in W.P.(L) No.17362 of 2025.

Mr.Ashwin R. Kapadnis, for the respondent-ZP, Pune in WP/5456/2025, WP(ST.)13145/2025 and WP/5759/2025.

**CORAM: SHREE CHANDRASHEKHAR &
MANJUSHA DESHPANDE, JJ.**

DATED : 30th JULY 2025.

P.C.:

(915) WRIT PETITION (L.) NO.17362 OF 2025

Mr.Ganoo, the learned counsel appearing for the Shikshanmandal has tendered a copy of the written submission, which is taken on record.

2. Mr.Girish Godbole, the learned senior counsel seeks permission to carry out amendments at clauses (b) and (h) in paragraph no.109. Since the proposed amendments are already tabulated at pages 65 and 66, permission for the amendment is granted. The amendments to be carried out during the course of the day.

3. Re-verification is dispensed with.

4. Mr.Girish Godbole, the learned senior counsel appearing for the Shikshanmandal submits that the Government Resolution dated 15th March 2024 has been issued in teeth of the Right of Children to

Free and Compulsory Education Act, 2009 (hereinafter referred to as, “the RTE Act”) and the Schedule appended therewith. The learned senior counsel referred to page nos.184 to 193 to demonstrate how fixing of minimum number of students under different category is arbitrary and illegal. It is further submitted that not providing teachers for Arts, Music, etc. in a school where the number of students is more than 100 is in complete violation of the minimum number of teachers provided under the RTE Act. The learned senior counsel for the petitioners also submitted that there is no provision under the RTE Act, or the Schedule appended thereto that restricts the total number of teachers to be appointed in a school. Rather, the RTE Act only mandates the minimum number of the teachers to be provided in the school. Another submission made on behalf of the Shikshanmandal is that the provision for surplus teachers and their absorption in different schools shall be contrary to Rule 26 of the 1981 Rules.

5. Mr.Ashwin Kapadnis, the learned counsel appearing for the petitioners in Writ Petition Stamp No.13145 of 2025, Writ Petition No.5759 of 2025 and Writ Petition No.10321 of 2025 has tendered written submissions in the Court. The same is taken on record.

6. Post on 31st July 2025 at 04:00 p.m.

[MANJUSHA DESHPANDE, J.]

[SHREE CHANDRASHEKHAR, J.]