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

CONTEMPT PETITION NO. 67 OF 2025

Ms.Dubey Seema Hawaldar and anr. ... Petitioners
Versus
The State of Maharashtra and ors. Respondents

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w Adv.Vinayak R.Kumbhar, Adv.Rajendra B. Khaire, Adv. Aniket S. Phapale i/b Adv. Ashwini N. Bandiwadekar, for the Petitioners.
Mr. B.V. Samant, Addl. GP a/w Mr. V.G. Badgujar, for the Respondent No.1– State.
Mr. Shrishail Sakhare, for Respondent No.2.

**CORAM : M.S.KARNIK &
ASHWIN D. BHOBE, JJ.**

DATE : 20th MARCH, 2025

P.C. :

1. Heard learned counsel for the petitioner Shri Bandiwadekar, Learned AGP appearing for respondent no. 1 and learned counsel Shri Sakhare appearing for respondent no.2.

2. Shri Bandiwadekar alleges breach of the order dated 18/09/2017 passed by this Court. The said order reads thus :

“1. Learned counsel appearing for the petitioner(s) in all these petitions makes a statement that these present writ petitions can be disposed of in the light of the order passed by the Division Bench of this court (Coram: B. R.Gavai & Riyaz I.Chagla, JJ.) dated 10th July, 2017 in writ petition no. 8587

of 2016 with connected writ petitions, as the case of these petitioners is governed and covered by the order of the said Division Bench on facts as well as on law also. The learned AGP has no objection with this position.

2. Therefore, as the present petitioner(s) case is similarly placed as of the case of the Petitioners in writ petition no. 8587 of 2016 with connected petitions and as observed therein in the order dated 10th July, 2017 passed by this court, we are inclined to dispose of all these present writ petitions for the same reasons.

3. Hence, all these writ petitions are allowed in terms of the order dated 10th July, 2017 passed by this court and for the same reasons the impugned orders in the present petitions are quashed and set aside. Ordered accordingly.”

3. The basis of the order dated 18/09/2017 was the order dated 10/07/2017. Paragraphs 9, 10 & 11 of the said order read thus :

“9. In the result the Writ Petitions are allowed and impugned orders are quashed and set aside. The Respondents - Education Officers are directed to examine independent cases and grant approval to each of the teachers who fall in the following three categories.-

(a) Where the recruitment process is already commenced prior to GR dated 2nd May 2012;

(b) Where the appointments made for filling up vacancies in English, Mathematics and Science;

(c) Where the recruitment is made to fulfil the backlog of reserve categories candidates;

10. The necessary orders after hearing the management and teachers be passed within a period of six weeks from today.

11. Needless to state that upon grant of approval necessary steps would be taken for paying salary to such of the teachers who are found eligible and salaries would be paid to them within a period of 12 weeks from today.”

4. Shri Sakhare learned counsel appearing for respondent no.2 submits that the Education Officer (Primary), Zilla Parishad, Thane has

changed. There was some genuine difficulty in processing the proposal.

5. Shri Bandiwadekar submits that the petitioners would be satisfied if the time to take decision in terms of the order dated 18/09/2017 is further extended . Accordingly, the time stipulated by the order dated 18/09/2017 is correspondingly extended by a period of 6 weeks from today for complying with the directions in paragraph 10 of the order dated 10/07/2017 and further period of 12 weeks from today for complying with the directions in paragraph 11 of the order dated 10/07/2017. Necessary compliance be effected within such extended time.

4. With the above observations, the contempt petition is disposed of.

(ASHWIN D. BHOBE, J.)

(M.S.KARNIK, J.)