



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 6094 OF 2025

Gramin Shikshan Prasarak Mandal, Warora and another
..VS..
Deputy Director of Education, Nagpur and two others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. P. A. Gode, Advocate for petitioners.
Ms. S. S. Jachak, Addl.G.P for respondent Nos.1 & 2.
Ms. Kirti Satpute, Advocate for respondent No.3.
Mr. A. D. Kuril, Advocate for intervenors.

CORAM : SMT. M.S. JAWALKAR, AND
SHRI M.W. CHANDWANI, JJ.

DATED : 19th NOVEMBER, 2025

1. Heard learned Counsel Mr. P. A. Gode for the petitioners, learned Additional Government Pleader Ms. S. S. Jachak for respondent Nos.1 and 2, learned Counsel Ms. Kirti Satpute, for respondent No.3 and learned Counsel Mr. A. D. Kuril, for intervenors.

2. The challenge in this petition is that the order dated 30.09.2025 passed by the respondent No.1 – Deputy Director of Education, Nagpur and also the order dated 01.10.2025 passed by the Education Officer (Secondary), Zilla Parishad, Chandrapur is not as per the provisions of law and it is to be quashed and set aside.

3. It is the contention of the petitioners that Trust has passed a resolution for transfer of its employee, however this fact is disputed by the learned Counsel for respondent No.3. It appears that an approval was granted by the Education Officer to the midterm transfer on 17.09.2025. However on complaint, the Deputy Director of Education passed the order on 30.09.2025 thereby granted stay to the order of the Education Officer (Secondary), Zilla Parishad, Chandrapur dated 17.09.2025.

4. It appears from the order of Deputy Director of Education that on complaint, he has observed that there is no compliance of Rule 41(2) of the Maharashtra Employees of Private Schools (Conditions of Service) Rules, 1981 and the Education Officer was directed to decide the complaint.

5. All the parties agreed to appear before the Education Officer to agitate their contentions.

6. In view of that the order passed by the Deputy Director of Education on 30.09.2025 thereby staying the order of Education Officer dated 17.09.2025 and the order passed by the Education Officer (Secondary), Zilla Parishad, Chandrapur dated 01.10.2025 are hereby quashed and set aside.

7. The respondent No.2 - Education Officer is hereby directed to consider the proposal forwarded by the

Management afresh within a period of four weeks by granting opportunity of hearing to all concerned, including intervenors before this Court.

8. There was an interim order directing the parties to maintain *status quo* vide order dated 09.10.2025, that shall be continued till the decision of Education Officer.

9. All the parties in this petition as well as intervenors appear before the Education Officer (Secondary), Zilla Parishad, Chandrapur on 26.11.2025 at 11.00 am.

The writ petition stands disposed of in the above terms. No order as to costs. Pending application(s), if any, stand(s) disposed of.

(M.W. CHANDWANI, J.)

(M.S. JAWALKAR, J.)