



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

WRIT PETITION NO. 615 OF 2025

s/o Ramesh Raut Vs. The Deputy Director (Education), Amravati Division, Amravati and ors)

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

Court's or Judge's orders

Mr. A.A. Naik, Senior Advocate i/b Mr. P.S. Chawhan, Advocate for
petitioner.

Mr. A.S. Fulzele, Addl. GP for respondent Nos. 1 and 2/State.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATED : 04-02-2025

Heard finally. The petition, claims a direction against the respondent Nos. 1 and 2 alone, for which the learned Addl. GP appears. No notice therefore, is required to be issued to respondent Nos. 3 and 4, who are the management and the school. The petitioner, who was appointed as a Shikshan Sevak by the order 21.7.2014 (p19) got approval from the Education Officer on 31.12.2014 (p20), which approval was cancelled by the Education Officer by communication dated 6.5.2017(p24), which came to be questioned before this Court by way of Writ Petition No. 3985/2017 in which by order dated 5.1.2018, the order dated 6.5.2017 cancelling the approval was set aside and the matter remitted back to Education Officer to take action in accordance with law. (page 31). The Education Officer thereafter, by his order dated 2.6.2018 again cancelled the approval (p32) which came to be questioned in Writ Petition No. 7371 in which by order dated 30.10.2018 (p50) an interim relief in terms of prayer clause (iii) was granted. Prayer clause (iii) (pg 48) in the said petition seeks stay to

the effect and operation of the order dated 2.6.2018. By an order dated 21.8.21 (p51) rule was issued in Writ Petition No. 7371/2018 and the interim stay continued.

2. Mr. Naik, learned Senior Counsel for the petitioner submits, that in view of the stay granted by this Court on 30.8.2018, the order of cancellation of approval 2.6.2018 is no longer in force and is subject to the result of the petition No. 7371/2018 on account of grant of rule on 21.8.2021, in view of which since the petitioner is rendering services, which is not being disputed and has already completed period of 3 years as Shikshan Sevak, the claim of the petitioner to be appointed as Assistant Teacher and for grant of according amoulements can be considered by the respondent Nos. 1 and 2, subject to result of Writ Petition No. 7371/2018 and Cr. Writ Petition No. 295/2021 and connected matters. He submits, that even the Education Officer has given a communication dated 2.5.2017 stating that the signature on the approval dated 31.12.2014 was his(p26).

3. Learned Addl. GP submits, that everything is subject to the result of Writ Petition No. 7371/2018 and Cr. Writ Petition No. 295/2021.

4. Though it may be true, that everything would be subject to the result in the aforesaid litigations pending in the Court, it is equally necessary to note that the cancellation or the approval dtd. 2.6.2018 has been stayed by this Court by the order dated 30.10.2018 (p50) which has been continued on 21.8.2021. The petitioner has already completed the period of 3 yrs as Shikshan Sevak and in terms of the policy

would be entitled to be appointed as Assistant teacher. We therefore, direct respondent Nos. 1 and 2 to consider the claim of the petitioners in terms of the policy applicable, which would, however, be subject decision in Writ Petition No.7371/2018 and Cr. Writ Petition No. 295/2021 and connected matters. The petition is therefore, disposed of in terms of the above directions. The consideration be made within four weeks.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

Belkhede