



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

WRIT PETITION NO. 1148 OF 2024

Ayazuddin Aminuddin Syed

-Vs.-

The State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's Orders.
or directions and Registrar's orders.

Mr. C.V.Kale, Adv. for the petitioner.
Ms T.H.Khan, AGP for the respondents-State.
Mr. Amol B. Patil, Adv.for the respondent Nos.3 and 4.

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

DATE : 30TH JANUARY, 2025

Mr. Kale, learned counsel for the petitioner, upon instructions, makes a statement, that prayer clause No.2 in the petition has become infructuous. The statement is accepted as a statement to the Court. According to him, the petition survives only vis-a-vis the prayer clause No.3.

2. The stand of the State vis-a-vis the order of bifurcation dated 17/05/1994 and the arrangement as spelt out from the communication dated 05/10/2011 (Pg.84), is contradictory as is spelt out from the affidavit dated 27/01/2025.

3. Mr.Patil, learned counsel for the respondent Nos.3 and 4, makes a statement, that based upon the stand as indicated in the communication dated 05/10/2011 separate seniority lists have been maintained for the teachers of

Marathi and Hindi Medium Schools and the Urdu Medium Schools. The affidavit in reply dated 27/01/2025 itself indicates in para-9, that the Urdu Medium Secondary School was separated in 2004 as an independent school. The order of bifurcation dated 17/05/2004 also does not indicate, that the common seniority list has been maintained in respect of these two schools, which are stated to be separate and independent school by the State itself. The State is therefore directed to clarify its stand in this regard.

4. The learned AGP also upon instructions states, that in case a proposals for creating separate posts of headmasters for the Hindi and Marathi Medium Schools and a post of headmaster for the Urdu Medium School are submitted by the Municipal Council, the same would be considered in terms of the extant policy.

5. Mr.Patil, learned counsel for the respondent Nos.3 and 4, upon instructions states, that the respondent Nos.3 and 4 shall make such proposal, within a period of two weeks from today.

6.. List the matter on 17/02/2025.

(ABHAY J. MANTRI,J)

(AVINASH G. GHAROTE, J)