



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

**WRIT PETITION NO. 1148 OF 2024**

AYAZUDDIN S/O. AMINUDDIN SYED

**...Vs...**

THE STATE OF MAHA., THR. SECRETARY, EDUCATION AND SPORTS DEPT., MUMBAI AND ORS.

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|-----------------------------------------------------------------------------------------------------------|---------------------------|
| Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders | Court's or Judge's orders |
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Shri C.V.Kale, Advocate for petitioner.  
Ms. D.V.Sapkal, AGP for respondent/State.  
Shri A.B. Patil, Advocate for respondent nos. 3 and 4.

**CORAM:** **SMT. M.S.JAWALKAR AND**  
**PRAVIN S. PATIL, JJ.**

**DATED :** **14<sup>th</sup> AUGUST, 2025.**

By the present petition, the petitioner is seeking relief against the respondent(s) for grant of approval to create the post of Headmaster in Urdu Medium School and appoint him as a Headmaster instead of In-charge Headmaster. It is a matter of record that, the Municipal Council, Achalpur took a decision to bifurcate school as 'Urdu Medium School' and 'Hindi Medium School.' The decision is also taken to bifurcate the seniority list. The petitioner being appointed to teach in Urdu Medium, his seniority is counted in Urdu Medium School. However, it is the contention of the petitioner that, his claim be considered by creating the post of Headmaster and appointing him on the said post.

2. It appears that, there is no challenge by the petitioner to the bifurcation of seniority list by the Municipal Council. There is appeal provided before the

Director of Education under Rule 61 of the Secondary School Code if there is any grievance of seniority.

3. The petitioner herein, on instructions, seeks permission to withdraw the present petition with liberty to file the appeal under Rule 61 of the Secondary School Code before the Director of Education. Permission is granted.

4. Accordingly, the petition stands **disposed of** as withdrawn with liberty to file the appeal before the Director of Education as per the provisions of law.

5. The Director of Education shall decide the same on its own merit as well as consider the delay in filing the appeal.

(PRAVIN S. PATIL, J.)

(SMT. M.S.JAWALKAR, J.)