



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

WRIT PETITION NO. 5808 OF 2025

Vinayakrao Deshmukh High School Society, Nagpur and another
-Vs.-
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.S.S.Ghate, Adv.for the petitioners.
Mr.A.S.Fulzele, Addl.GP for the respondents-State.
Mr. P.P.Thakare, Adv.for the respondent No.3.

**CORAM : SMT. M. S. JAWALKAR &
RAJ D. WAKODE, JJ.**

DATE : 6TH OCTOBER, 2025

P.C.

Heard the learned counsel for the petitioners.

2. Learned Additional Government Pleader Shri A.S. Fulzele waives notice for respondent Nos.1 and 2 and learned counsel Shri P.P. Thakre waives notice for respondent No.3.

3. The brief facts involved in the matter are that the petitioner No.2 came to be appointed as Assistant Teacher on 15/09/1999 on the establishment of petitioner No.1. He was promoted and appointed as Headmaster in view of the resolution passed by the petitioner No.1 on 23/07/2017. Even the Education Officer was accorded approval to the proposal of appointment of the petitioner No.2 as Headmaster. The respondent No.3, who stood retired on

29/02/2024, made a complaint to the respondent No.2 on 10/12/2024. Notice was issued to the petitioners for appearing in the proceedings, which was received by them on 15/01/2025. It was informed that copy of the complaint has not been received by the petitioners still they filed their reply on 28/03/2025. The parties were heard by President, Grievance Redressal Committee-cum-Deputy Director of Education, Nagpur Divisional, Nagpur Shri Ulhas K. Narad. A hearing was conducted on 17/01/2025, whereas order came to be passed on 23/09/2025 that too by another Authority namely Dr.Madhuri Sawarkar, who was the then President of Grievance Redressal Committee-cum-Deputy Director of Education, Nagpur. As such, apparently a hearing was conducted by some other President of the Committee and the impugned order came to be passed by some other President of the Committee/Deputy Director of Education. It is settled principle of law that the Authority, who has heard the matter, should pass the order therein. As such, the impugned order passed by the President, Grievance Redressal Committee-cum-Deputy Director of Education, Nagpur dated 23/09/2025 is required to be quashed and set aside.

4. Hence, the petition is partly allowed.

5. The impugned order passed by the President, Grievance Redressal Committee-cum-Deputy Director of Education, Nagpur dated 23/09/2025 is hereby quashed and set aside.

6. The parties are relegated back to the Grievance

Redressal Committee-cum-Deputy Director of Education, Nagpur Division, Nagpur for grant of fresh hearing. The parties are at liberty to agitate all the contentions, which they want to raise before the Authority. The respondents-Authorities shall give hearing to all concerned/interested persons in the matter.

7. The parties to appear before the Authority on 03/11/2025.

8. All the points raised in the petition are kept open.

9. The petition stands disposed of accordingly. No costs.

(RAJ D. WAKODE, J)

(SMT.M.S.JAWALKAR, J)