



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

CIVIL APPLICATION [CAW] NO. 2471 OF 2025

IN

WRIT PETITION NO. 701 OF 2024

OMPRAKASH S/o RAGHUNATH WANKHADE AND OTHERS

VERSUS

STATE OF MAH., THRU. ITS SECY., DEPTT. OF RURAL DEVPT., MUMBAI AND OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's Orders or directions and
Registrar's order

Court's or Judge's Order

Mr. S. S. Dhengale, Advocate for the petitioners/applicants
Ms. Prachi T. Joshi, A.G.P. for respondent nos.1, 2 and 5
Mr. S. S. Shinde, Advocate for respondent nos. 6 and 7

CORAM : SMT. M. S. JAWALKAR and

M. W. CHANDWANI, JJ.

DATE : NOVEMBER 10, 2025.

1. Heard.
2. By this civil application, the petitioners/applicants are seeking direction to the respondents to permit them provisionally to fill up their form for online examination for the post of Cluster Head by virtue of advertisement dated 29.09.2025 from the cadre of Assistant Teacher.
3. Our attention has been invited to the Second Amendment notification dated 10.06.2014 to Appendix-IV Part-II of the Maharashtra Zilla Parishad Services (Recruitment) Rules, 1967, (for short "the Rules of 1967") wherein, Entry no. 7B has been added and as per Clause (1)(b-ii) of the said Entry, a primary teacher working in Zilla Parishad continuously for not less than three years without break, would be eligible to appear for the competitive examination for the post of Cluster Head.

4. It is common ground that the petitioners are working as Primary Teachers (Subject Resource Persons) in Zilla Parishad. After every six months, a day's break is being given to them. Though, they are working since the last 18 years, however, they are being given a day's break every six months. Therefore, we are of the considered opinion that the petitioners are not eligible to fill the online form for the post of Cluster Head in view of Clause (1)(b-ii) of Entry 7B in Appendix-IV Part-II of the Rules of 1967 in view of break in service.

5. We are not inclined to allow the application. Accordingly, it is rejected.

(M.W.CHANDWANI, J.)

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

Diwale