



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

**910 CIVIL APPLICATION NO. 13355 OF 2024
IN WP/11644/2024**

**ANKUSH GANPATRAO BIDWE
VERSUS
BHAGATSING SHIKSHAN SANSTHA ASHTA
THROUGH ITS SECRETARY AND OTHERS**

.....
Advocate for Applicant : Mr. Avinash N. Irpatgire
AGP for Respondents/State : Mr. M.A. Aher
Advocate for Respondents : Mr. S. B. Solanke
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**CORAM : NITIN B. SURYAWANSHI &
VAISHALI PATIL JADHAV, JJ.
DATE : 17th April, 2026**

PC. :-

1. Admittedly, Respondent No.5 is the senior most Teacher available in the school run by the Petitioner/Management. He was given approval for appointment on the post of Headmaster on 27.08.2024. Thereafter, the Management took objection with the Education Officer and the said approval was stayed by the Education Officer for the reason that one Mr. V.G. Jadhav was senior to the Respondent No.5 and he should have been appointed on the post of Headmaster. Therefore, the Education Officer has stayed the approval of the Respondent No.5 on the ground that there was no

resolution of the Management along with the proposal submitted by Respondent No.5 for approval.

2. Learned advocate for the Petitioner/Management submits that proposal of Mr. B.G.Jadhav was submitted by the Management for promotion on the post of Headmaster.

3. This Court at the admission hearing has stayed the order passed by the Respondent No.3/Education Officer dated 17.10.2024 and directed the Education Officer to consider the request of Management for appointment of the senior most teacher as In charge Headmaster. The Management has accordingly submitted the proposal of Mr. Jadhav on the post of Headmaster. Though, the Education Officer has handed over the charge to Respondent No.5 for the post of Headmaster for 15 days, after 15 days the charge was taken from Respondent No.5 and it is handed over to one Mr. B.N. Kadam by the Petitioner/Management. It is the contention of the Respondent No.5 that Mr. B.N. Kadam is junior to him. The Education Officer has filed reply stating that due to the dispute in the management temporary charge of Headmaster is given to Mr. B.N. Kadam subject to the decision of this Court.

4. Considering the afore-stated facts, the stay granted by this Court on 17.10.2024 to the impugned order is hereby vacated. The Management is directed to hand over the charge of the post of Headmaster to the Respondent No.5 and Respondent No.3 shall consider grant of approval to the Respondent No.5 in accordance with the rules and seniority.

5. In the light of above, the Education Officer is directed to consider the grant of approval to the senior most teacher including the Respondent No.5 or anybody else, after giving an opportunity of hearing to the concerned and in accordance with rules within a period of eight weeks from the date of receipt of copy of this order. In the meanwhile, charge be handed over to the Respondent No.5.

6. With these directions, the Writ Petition is disposed of. Civil Application is also disposed of.

[VAISHALI PATIL JADHAV, J.]

[NITIN B. SURYAWANSHI, J.]