



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO. 495 OF 2026

Aruna Sega Gavit

VERSUS

The State Of Maharashtra And Others

...

Mr. Ashwin V. Hon - Advocate for the Petitioner

Mr. S. B. Narwade - AGP for State

...

CORAM : SMT. VIBHA KANKANWADI
AND

HITEN S. VENEGAVKAR, JJ.

DATED : 17TH FEBRUARY, 2026

ORAL ORDER [*Per* Hiten S. Venegavkar, J.] :-

1. By the present petition, the Petitioner seeks directions to Respondent Nos. 3 and 4 to forthwith submit the pension proposal of the Petitioner to Respondent No. 2, Education Officer (Secondary), Zilla Parishad, Nandurbar, as per the communication dated 28.07.2025. He further seeks directions to Respondent No. 2 / Education Officer (Secondary), Zilla Parishad, Nandurbar, to forthwith consider and grant pensionary benefits to the Petitioner.

2. The Petitioner states that the Petitioner was initially appointed on 14.06.1996 as an Assistant Teacher in the school of Respondent No. 4. The Petitioner joined her services from the said date of appointment and successfully obtained her B.Ed. degree during her

service in the year 2001. The Petitioner was thereafter appointed to a clearly vacant post of Assistant Teacher for a period of two years on probation, and after the probation period was completed, she was deemed to have been confirmed in accordance with the provisions of Section 5 of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act, 1977, and the Rules of 1981 [hereinafter referred to as 'MEPS Act and Rules'].

3. There has been a chequered history between the Management and the Petitioner, which has been mentioned in detail in the order dated 12.03.2025 passed in Writ Petition No. 9338 of 2022 by the Single Bench of this Court, and hence, we do not reiterate the same in the present order. However, it is a matter of record that the Petitioner, who had otherwise been terminated, challenged the termination before the School Tribunal, and subsequently the said termination reached this Court in the above-referred Writ Petition, where the Single Bench of this Court set aside the termination order, thereby reinstating the Petitioner in service with continuity of service but without back wages, with the further direction that any unpaid salary claimed by the Petitioner be paid within eight weeks, if not already paid.

4. Now that the Petitioner has retired from service, the Petitioner has preferred a representation addressed to the Principal of

Respondent No. 4, as well as a representation dated 27.06.2025, requesting the Respondent authorities to forward her pension proposal to the Education Officer. It is submitted by the learned Advocate appearing for the Petitioner that the pension proposal of the Petitioner, till date, has not been forwarded to the Education Officer (Secondary), Zilla Parishad, Nandurbar, and the same is still pending with Respondent No. 4.

5. Respondent No. 4 has sought guidance from Respondent No. 2 / Education Officer regarding the pension proposal of the Petitioner, which was duly replied to by Respondent No. 2 on 20.07.2025, thereby directing Respondent No. 4 to forward the pension proposal of the Petitioner. However, till date, Respondent No. 4 has not complied with the directions issued by Respondent No. 2 on 20.07.2025 and is still holding the pension proposal of the Petitioner with him.

6. We, therefore, direct Respondent Nos. 3 and 4 to immediately forward the pension proposal of the Petitioner to Respondent No. 2 in accordance with the directions issued by Respondent No. 2 on 20.07.2025. We further direct that Respondent No. 2 shall then forward the pension proposal of the Petitioner to the appropriate authorities within a period of four (4) weeks from the date of its receipt.

7. With the above directions, the Writ Petition stands disposed of.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

SG Punde