



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
WRIT PETITION NO.1642 OF 2025**

1. Santosh s/o Dangal Jadhav,
Age 56 years, Occ. Service,
R/o Kusumbe, Taluka and
District Dhule.

2. Anil s/o Shaligram Shinde,
Age 52 years, Occ. Service,
R/o as above.

..Petitioners

Versus

1. The State of Maharashtra,
through its Secretary,
Department of School Education & Sports,
Mantralaya, Mumbai – 400 032.

2. The Divisional Deputy Director,
Nasik Division, Nasik.

3. The Education Officer (Secondary),
Zilla Parishad, Dhule.

4. Social & Cultural Association,
Kusumbe, Taluka and
District Dhule,
Through its President.

5. Shobha Ravindra Chaudhari,
Age 55 years, Occ. Service as
Assistant Teacher,
R/o Panzara Housing Society,
Kusumbe, Taluka & District Dhule.

..Respondents.

...

WITH

CIVIL APPLICATION NO.9632 OF 2025

VISHAL S/O DILIP CHAUDHARI AND OTHERS

VERSUS

SHRI SANTOSH S/O DANGAL JADHAV AND OTHERS

...

Mr. N. D. Sonawane h/f Mr. K. B. Jadhav, Advocate for petitioners.

Mr. S. N. Kendre, AGP for Respondent/State.

Mr. V. D. Hon, Senior Advocate i/by Mr. A. V. Hon, Mr. Vivek J. Dhage and Mr. D. A. Karnik, Advocate for Respondent No.4.

Mr. R. I. Wakade, Advocate for Respondent No.5.

Mr. Y. B. Bolkar, Advocate for Applicant.

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CORAM : S. G. CHAPALGAONKAR, J.
DATED : 21st JANUARY, 2026.

FINAL ORDER:-

1. The present writ petitions are filed with following prayer:-

“Quash and set aside the impugned order dated 30/1/2025, rendered by the respondent no.3, appointing the respondentNo.5 as Incharge Head Mistress of the school namely Adarsh High School & Junior College, Kusumbe, Taluka and District Dhule; and for that purpose issue necessary directions.”

2. The respondent no.4 i.e. Social and Cultural Association, Kusumbe runs schools namely (1) Adarsh High School and Junior College, Kusumbe, (2) Secondary School, Basarwa, Taluka Sakri, District Dhule and (3) Panzara Madhyamik Vidyalaya, Nizampur, Taluka Navapur. The Trust maintains seniority list of teaching staff. Mr. Bhagwat Madhav Jaware was appointed as Headmaster of school at Kusumbe. On 30.06.2023, he retired on attaining age of superannuation. As such, post of Headmaster was vacant. The Management of school had appointed one Dipika Anil Chaudhari as in-charge Headmistress. However, she resigned on 19.08.2023. In this backdrop, it was imperative to appoint incharge Headmaster. The respondent no.5 was appointed as incharge Headmistress. The proposal for her appointment has been approved by Education Officer vide impugned order dated 30.01.2025.

3. Heard learned Advocates appearing for respective parties.

4. On, *prima facie*, consideration of record, there appears serious dispute amongst rival groups of Management. There is no consensus to appoint particular teacher as incharge head of school. The change report submitted as to election of Trustees are pending enquiry under Section 22(2) of Maharashtra Public Trust Act. The litigating groups have forwarded proposals for appointment of in-charge Headmaster of their choice to Education Officer. The impugned order dated 30.01.2025 lost its sanctity, as it had limited life for three months from 07.11.2024 i.e. date of appointment of respondent no.5 as in-charge Headmaster for period of three months.

5. The learned Advocates appearing for respective parties, on instructions, submits that rival groups have made appointment of teachers of their choice and forwarded proposal to Education Officer for approval on post of in-charge Headmaster, similarly intervention application is filed by teachers or staff members of school. They seek addition as party in Writ Petition and further seek direction against respondents-Authorities to fill up post of Headmaster from applicants or any other employee, who is working on B.Ed. pay scale on the basis of seniority in view of guidelines laid down in Government Resolution dated 28.01.2025.

6. Having considered submissions advanced by learned Advocates appearing for respective parties, this Court do not find

any reason to delve into merits of respective contentions, since procedure for appointment of in-charge head of school is in place and Education Officer is under obligation to appoint/approve senior most and eligible person to work as in-charge Headmaster till appointment of regular incumbent by following due process of law is made by authorized management. In wake of fact that rival Management groups have already forwarded proposals for appointment of in-charge Headmaster, Education Officer shall consider and decide proposals pending before him on its own merits, in accordance with law and by granting opportunity of hearing to all stakeholders. The Education Officer shall expeditiously take his decision and in any case, within period of twelve weeks from today.

7. The parties, stakeholders are at liberty to appear before Education Officer on 04.03.2026 alongwith their written submissions supported by documents.

8. The Education Officer shall primarily decide issue of seniority and eligibility of teachers proposed to be appointed as Headmaster of school and grant approval in favour of senior most and eligible teacher as in-charge Headmaster.

9. In view of aforesaid observations/directions, Writ Petition stands disposed of.

10. In view of disposal of Writ Petition, pending Civil Application also stands disposed of.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/January-2026