



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.13805 OF 2025

Shri Vinod Mahadev Pokale,
Age-37 years, Occu:Nil,
R/o-Chinchala, Taluka-Aashti,
District-Beed.

...PETITIONER

VERSUS

- 1) The State of Maharashtra,
Through its Principal Secretary,
School Education and Sports
Department, Mantralaya,
Mumbai-400032,
- 2) The Maharashtra Shikshan Parishad
(Government of Maharashtra
Undertaking), Through its
Project Director, Jawahar Bal Bhavan,
Netaji Subhash Marg, Churni Road,
Mumbai 400004,
- 3) The Chief Executive Officer,
Zilla Parishad, Beed,
- 4) The Education Officer (Primary),
Zilla Parishad, Beed,
- 5) The Block Education Officer,
(Block Resource Center),
Panchayat Samiti, Aashti,
Taluka-Aashti, District-Beed

...RESPONDENTS

...

Mr. V.K. Bhosale Advocate h/f. Mr. M.R. Bahegavankar
Advocate for Petitioner.

Mr. S.B. Pulkundwar, A.G.P. for Resp. Nos.1 and 2.

Mr. P.D. Suryawanshi Advocate for Resp. Nos. 3 and 4.

...

**CORAM: SMT. VIBHA KANKANWADI AND
HITEN S. VENEGAVKAR, JJ.**

DATE : 17th JANUARY, 2026

ORDER [PER HITEN S. VENEGAVKAR, J.] :

1. In the present Petition, the petitioner has prayed for following reliefs:-

"B. By issuing writ of mandamus or any other appropriate writ, order of directions in the like nature, the Honourable Court may kindly be pleased to direct the respondent no.1 and 2 create permanent cadre of Part-Time Instructor for Art Education, Physical and Health Education and Work Education as specified in Section 19 r/w Schedule of the Right of Children of Free and Compulsory Education Act, 2009 and Rule 20 of the Rules 2010 thereof in all the Zilla Parishad Schools having 6th to 8th standard in State of Maharashtra.

C. By writ of mandamus the honourable court may kindly be pleased to direct the respondents to make policy for combining the schools where the inadequate students strength and appoint such petitioners or similarly situated persons loose their appointment because of the adequate student strength it is possible to respondents to appoint a petitioner as well as similarly situated persons by giving the workload of two schools in case of inadequate workload.

D. By issuing Writ of Mandamus or any other appropriate writ or order or direction in the like nature, the Honourable Court may kindly be pleased to direct the respondents no.1 to 5 to continue to give work or reinstate to the petitioner with

the school having adequate student strength forthwith further pay to him monthly salary / honorarium as per the directions.

E. By issuing the Writ of Mandamus or any other appropriate writ or order or direction like in nature, the Honourable Court may kindly be direct to respondent no.3 to decide the representation made by the petitioner.”

2. As far as prayer clause “B” and “C” are concerned, the learned Advocate for the petitioner refers to the passed by this Court at the Principal Seat in ***Writ Petition No.8786 of 2021*** which was decided by the Judgment and order dated 8th May 2024, thereby directing the State Government to formulate the policy in terms of Section 19 and 23 of the Right of Children to Free and Compulsory Education Act. In accordance with the directions received, the State Government has already issued the Government Resolution dated 5th June 2025.

3. The petitioner states that he has preferred applications after the said policy has come into effect and the said applications for reinstatement of the petitioner and for continue to give work to the present petitioner in the school having adequate student strength, are still pending and have not been decided by respondent Nos. 3 and 4.

4. Learned Advocate Mr. Suryawanshi appearing for respondent Nos.3 and 4 states that the representations which are filed and pending for decisions, would be decided within a period of four weeks from today. The said statement is taken on record as an undertaking.

5. Respondent Nos. 3 and 4 are directed to decide the representations of the petitioner within a period of FOUR WEEKS from today, as per the prevailing policy.

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

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE