



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

967 WRIT PETITION NO.734 OF 2026

Shaikh Reshma Jabbar

VERSUS

The State Of Maharashtra And Others

...

Mr. Balaji S. Shinde, Advocate for the Petitioner.

Mr. S. B. Pulkundwar, AGP for Respondents/State.

Mr. P. D. Suryawanshi, Advocate for Respondent Nos.3 to 6.

...

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

DATE : 22 JANUARY 2026

ORDER :

. Heard learned Advocate for the petitioner.

2. The petitioner contends that she was serving in a minority institution and was teaching the Maths subject. She then applied for the post of Graduate Teacher on further and non grant basis and she came to be appointed with effect from 07.06.2012. The headmaster of the school had forwarded proposal for her approval. The Education Officer had not taken any step and, therefore, request was renewed. The Education

Officer granted approval to the appointment of the petitioner on 22.03.2014. After one year, she was granted approval for the post of Assistant Teacher from 15.06.2014. She served the said school till 31.12.2015. She therefore resigned on 11.09.2015. She had served for 3 years, 6 months and 16 days in the said school. She was in need of experience certificate and, therefore made an application on 29.05.2024. The Education Officer had then issued the certificate after verifying the documents. On the basis of said experience certificate, she was appointed on the post of Extension Officer Education on 28.08.2024 at Nagpur. Some complaint was made and, therefore, Committee was appointed. The Committee prepared its report on 17.01.2024. It was without giving any opportunity to the petitioner, the headmaster or the management where she worked. The Chief Executive Officer, Zilla Parishad, Beed had then taken unilateral decision of cancelling the experience certificate of the petitioner and informed the same to Chief Executive Officer, Zilla Parishad, Nagpur. Chief Executive Officer, Zilla Parishad, Nagpur by order dated 26.11.2025 terminated the services of the petitioner on the ground that experience certificate granted to the petitioner is not in force now. The order of termination was challenged by the petitioner before Divisional Commissioner, Nagpur in Appeal No.70 of 2025. The Additional Commissioner, Nagpur by order dated 23.12.2025 set aside

the termination order and directed the petitioner to be reinstated in service. Liberty was granted to the Zilla Parishad to follow the procedure if occasion arises in respect of procedure to be followed for Maharashtra Zilla Parishad Civil Services (Discipline and Appeal) Rules, 1964, however, the Chief Executive Officer, Nagpur is not allowing the petitioner to be reinstated on the point that the experience certificate has been cancelled and, hence, the present petition.

3. The first and the foremost fact that is required to be noted is that the main action that ought to have been taken on behalf of the petitioner is to challenge the action of non reinstatement, in spite of the order passed by the Additional Commissioner, Nagpur Division, Nagpur, by the Chief Executive Officer, Zilla Parishad, Nagpur. The Chief Executive Officer, Zilla Parishad, Nagpur appears to have taken into consideration the fact about the order passed by Chief Executive Officer, Zilla Parishad, Beed on 09.06.2025 setting aside the experience certificate dated 26.06.2024. In fact, when the Divisional Commissioner, Nagpur Division, Nagpur had granted liberty to Zilla Parishad to take any action in respect of disciplinary enquiry or any other action, then she should be heard. The setting aside of the order or report dated 09.06.2025 passed by Chief Executive Officer, Zilla Parishad, Beed is ancillary and, therefore, in our opinion, the jurisdiction to entertain the alleged inaction on the part of

Chief Executive Officer, Zilla Parishad, Nagpur is within the jurisdiction of Nagpur Bench and, therefore, we transfer the petition to this Court Bench at Nagpur.

4. Registry to take necessary steps.

[HITEN S. VENEGAVKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm