

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 433 OF 2026

Shobha Madhukar KhairePetitioner
Versus
The State of Maharashtra & Ors.Respondents

**AND
WRIT PETITION NO. 434 OF 2026**

Jayshri Abhiman Pagar & Ors.Petitioners
Versus
The State of Maharashtra & Ors.Respondents

Ms. Sakshi Thombre i/by Mr. Vivek B. Rane, Advocate for the
Petitioners in both Petitions.

Mrs. P.N. Diwan, AGP for Respondent Nos.1 to 4/State in
WP/433/2026.

Ms. Priyanka Chavan, AGP for Respondent Nos.1 to 4/State in
WP/434/2026.

Mr. Ashwin Kapadnis, Advocate for Respondent Nos.5 & 6/ZP
Nashik in both Petitions.

**CORAM : RAVINDRA V. GHUGE
&
ABHAY J. MANTRI, JJ.**

DATE : 13th JANUARY, 2026

P.C. :-

1. The Petitioner, Shobha Madhukar Khaire is aggrieved
by the order dated 18th December, 2025, by which, she has been

suspended on the ground that her re-medical examination conducted in 2024 has revealed her disability at 28%. She has a few months for her superannuation. The disability certificate issued by the District Civil Hospital on 24th March, 2025 (Department of Empowerment of Persons with Disabilities, Ministry of Social Justice and Empowerment, Government of India) indicates Post Traumatic Left Knee Contracture, which is a Locomotor Disability, of 28%.

2. The learned Advocate for the Petitioners points out that the Petitioner, Shobha Madhukar Khaire had met with an accident when she was just four years of age. She joined duties on 23rd December, 1992 as an Assistant Teacher with the Zilla Parishad, Nashik. Before she entered service, her disability was 40%. A reassessment in 2008 also revealed her disability at 40%. Now, when she is around 57 years of age, her disability is noted at 28%.

3. The details with regard to the Petitioners' disability type, percentage of disability recorded earlier, re-examination in 2018 and another re-examination in 2024, and the suspension orders in Writ Petition No.434 of 2026, are set out in a ready reference chart, hereinbelow :-

Name of Teachers	Disability Type	Old Certificate	Reassessment of Disability in 2018	Reassessment in 2024	Suspension order
Jayshri Abhiman Pagar	Permanent, Non-Progressive, Not Likely to improve	40% 27.09.2007 (Page No.63)	41% (Page No.41)	25% (Page No.25)	18.12.2025 (Page No.117)
Nilabai Sambhaji Wagh	Temporary, Non-progressive, likely to improve	45% (Page No.64)	40% (Page No.68)	28% (Page No.110)	18.12.2025 (Page No.120)
Bhausahab Vithoba Ghumre	Permanent, Non-progressive, Not likely to improve	42% (Page No.69)	-	32% (Page No.112)	18.12.2025 (Page No.124)
Sandip Shankarrao Hire	Permanent, Non-progressive, Not likely to improve	41%	-	32% (Page No.114)	18.12.2025 (Page No.127)

4. **Issue notice** to the Respondents, returnable on **10th March, 2026**. The learned AGPs waives service of notice on behalf of Respondent Nos.1 to 4. The learned Advocate, Mr. Kapadnis, waives service of notice on behalf of Respondent Nos.5 and 6.

5. Let the affidavits in reply be filed, on or before 20th February, 2026. Rejoinder affidavit, if desired, be filed on or before 27th February, 2026.

6. Until further orders, the impugned orders of suspension shall stand stayed. The Petitioners would report for duties and shall be paid regular salary from the date of this order. The period of suspension shall be subject to the result of these Petitions.

(ABHAY J. MANTRI, J.)

(RAVINDRA V. GHUGE, J.)