IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

(2) WRIT PETITION NO. 12809 OF 2025

Hemant Madhukar Gunjal … Petitioner
Versus
The State of Maharashtra and Ors. … Respondents

PURTI PRASAD PARAB
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Date: 2026.04.20 18:23:02 +0530

ALONGWITH
WRIT PETITION NO. 13423 OF 2025

Tushar Madhukar Sangale … Petitioner
Versus
The State of Maharashtra and Ors. … Respondents

ALONGWITH
WRIT PETITION NO. 13427 OF 2025

Ramesh Chandrabhan Sangale … Petitioner
Versus
The State of Maharashtra and Ors. … Respondents

ALONGWITH
WRIT PETITION NO. 13425 OF 2025

Nandre Sagar Ramesh … Petitioner
Versus
The State of Maharashtra and Ors. … Respondents

ALONGWITH
WRIT PETITION NO. 13424 OF 2025

Sangita Popatrao Bhadane … Petitioner
Versus
The State of Maharashtra and Ors. … Respondents

ALONGWITH
WRIT PETITION NO. 13429 OF 2025

Yogita Arun Sangale … Petitioner

Versus
The State of Maharashtra and Ors. … Respondents

AND

(3) WRIT PETITION NO. 1557 OF 2026

Sujata Kondaji Bhagwat … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(4) WRIT PETITION NO. 3547 OF 2026

Yogita Ashok Patil … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(5) WRIT PETITION NO. 3817 OF 2026

Rekha Nana Dhatrak … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(6) WRIT PETITION NO. 3819 OF 2026

Manohar Balu Darade … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(7) WRIT PETITION NO. 3820 OF 2026

Deepali Manik Sonawane … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(8) WRIT PETITION NO. 3824 OF 2026

Bharti Daulatrao Patil & Anr. … Petitioners
versus

The State of Maharashtra & Ors. … Respondents

AND

(9) WRIT PETITION NO. 3825 OF 2026

Aarti Hanumantrao Burkul
@ Arti Mahesh Bhabad … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(10) WRIT PETITION NO. 3827 OF 2026

Santosh Vijay Gangurde … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(11) WRIT PETITION NO. 3828 OF 2026

Santosh Eknath Pardeshi … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(12) WRIT PETITION NO. 3829 OF 2026

Sheetal Sanjay Bhate
@ Sheetal Bhagwant Sawant … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(13) WRIT PETITION NO. 3842 OF 2026

Dipak Dattatray Mokal & Anr. … Petitioners
versus
The State of Maharashtra & Ors. … Respondents

AND

(14) WRIT PETITION NO. 3851 OF 2026

Mahendra Abhimanyu Pawar … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(15) WRIT PETITION NO. 3852 OF 2026

Premlata Namdeo Gawali … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(16) WRIT PETITION NO. 3857 OF 2026

Archana Ratan Aarote … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(17) WRIT PETITION NO. 3860 OF 2026

Jayashree Nivrutti Uphade … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(18) WRIT PETITION NO. 3915 OF 2026

Sharad Popat Jadhav … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(19) WRIT PETITION NO. 3917 OF 2026

Vaishali Ashok Deore
(Vaishali Dinesh Jadhav) … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(20) WRIT PETITION NO. 3918 OF 2026

Gaurav Sanjay Bachhav … Petitioner

versus
The State of Maharashtra & Ors. … Respondents

AND

(21) WRIT PETITION NO. 3919 OF 2026

Omprakash Sahebrao Jadhav … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(22) WRIT PETITION NO. 3921 OF 2026

Amol Dattatray Endait … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(23) WRIT PETITION NO. 3923 OF 2026

Harshali Ramdas Kakulate … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(24) WRIT PETITION NO. 3925 OF 2026

Sachin Suresh Pagar … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(25) WRIT PETITION NO. 3926 OF 2026

Yogita Sampatrao Dumbare … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(26) WRIT PETITION NO. 3928 OF 2026

Anita Ramnath Thorat … Petitioner

versus
The State of Maharashtra & Ors. … Respondents

AND

(27) WRIT PETITION NO. 3929 OF 2026

Prakash Shivaji Kachave … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(28) WRIT PETITION NO. 3983 OF 2026

Shital Dnyaneshwar Dhomase Patil … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(29) WRIT PETITION NO. 3985 OF 2026

Nivrutti Ananda Dukare … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(30) WRIT PETITION NO. 3987 OF 2026

Sachin Babasaheb Pingale … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(31) WRIT PETITION NO. 3988 OF 2026

Pramod Vasant Dighe … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(32) WRIT PETITION NO. 4601 OF 2026

Pankaj Shivaji Malpure … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(33) WRIT PETITION NO. 4746 OF 2026

Rajendra Ananda Padavi … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(34) WRIT PETITION NO. 4856 OF 2026

Sangita Dattatray Kapile and Ors. … Petitioners
versus
The State of Maharashtra & Ors. … Respondents

AND

(61) WRIT PETITION NO. 3920 OF 2026

Amit Ashok Jadhav … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(69) WRIT PETITION NO. 4604 OF 2026

Deepak Murlidhar Sonawane … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(76) WRIT PETITION NO. 4691 OF 2026

Suvarna Balasaheb Bhor @
Suvarna Shantaram Jamdhade … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(77) WRIT PETITION NO. 4692 OF 2026

Sampatrao Daulatrao Chaudhari … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(78) WRIT PETITION NO. 4693 OF 2026

Pravin Padharinath Palde … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(79) WRIT PETITION NO. 4694 OF 2026

Sunita Karbhari Ushir @
Sunita Kishor Jadhav … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(82) WRIT PETITION NO. 4817 OF 2026

Jayashree Prabhakar Pund and Ors. … Petitioners
versus
The State of Maharashtra & Ors. … Respondents

AND

(901) WRIT PETITION NO. 4620 OF 2026

Asha Govindrao Wagh … Petitioners
versus
The State of Maharashtra & Ors. … Respondents

AND

(902) WRIT PETITION NO. 4690 OF 2026

Nitin Somnath Jadhav … Petitioner
versus
The State of Maharashtra & Ors. … Respondents

AND

(501) WRIT PETITION NO. 4908 OF 2026

Manohar Chindha Shewale and Anr. … Petitioners
versus
The State of Maharashtra & Ors. … Respondents

AND

(502) WRIT PETITION NO. 4913 OF 2026

Anita Gulab Thakur and Ors. … Petitioners

versus

The State of Maharashtra & Ors. … Respondents

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Ms. Pranita P. Hingmire for the Petitioners in Serial Nos. 502, 14 to 17, 34 and 82.

Mr. Sanjeev B. Deore a/w Ms. Suchita J. Pawar, Mr. Aman Ansari and Mr. Aditya S. Deore for the Petitioners in Serial Nos. 3 to 13, 76 to 79 and 902.

Mr. Narendra V. Bandiwadekar, Senior Advocate a/w Mr. Rajendra B. Khaire and Mr. Aniket S. Phaphale i/b Ms. Ashwini N. Bandiwadekar for the Petitioners in Serial Nos. 18 to 31, 61, 69 and 501.

Mr. Bhushan Deshmukh for the Petitioners in Serial Nos. 33 and 901.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. Priyanka Chavan, AGP, Ms. P.N. Diwan, AGP, Ms. N.M. Mehra, AGP, Mr. V.G. Badgujar, AGP and Mr.A.K. Naik, AGP for the Respondent – State in Sr. No.2.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.R. Deolekar, AGP in Serial No.3.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. N.M. Mehra, AGP in Serial No.4.

Mr. O.A. Chandurkar, Addl. G.P. a/w Ms. Priyanka Chavan, AGP in Serial No.5.

Mr. B.V. Samant, Addl. G.P. a/w Ms. P.M.J. Deshpande, AGP in Serial No.6.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. P.N. Diwan, AGP in Serial No.7.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. N.M. Mehra, AGP in Serial No.8.

Mr. O.A. Chandurkar, Addl. G.P. a/w Ms. D.S. Deshmukh, AGP in Serial No.9.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.R. Deolekar, AGP in Serial No.10.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.K. Naik, AGP in Serial No.11.

Mr. P.P. Kakade, Addl. G.P. a/w Ms. P.N. Diwan, AGP in Serial No.28.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.R. Deolekar, AGP in Serial No.29.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.K. Naik, AGP in Serial No.30.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. V.G. Badgujar, AGP in Serial No.31.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. S.P. Kamble, AGP in Serial No.32.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.R. Deolekar, AGP in Serial No.33.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. M.M. Pable, AGP in Serial No.34.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.K.Naik, AGP in Serial No.76.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. A.R. Deolekar, AGP in Serial No.77.

Mr. S.P. Kamble, AGP in Serial No.78.

Mr. Ketan Joshi, “B” Panel Counsel in Serial No.79.

Ms. Nisha Mehra, AGP in Serial Nos.69 and 82.

Mr. P.P. Kakade, Addl. G.P. a/w Mr. V.G. Badgujar, AGP in Serial No.901.

Ms. D.S. Deshmukh, AGP in Serial No. 902.

Ms. Pranita P. Hingmire for Respondent No.5 in Serial No. 3, for Respondent No.6 in Serial No.10 and for Respondent Nos. 4 and 5 in Serial No.29.

Mr. Shashank Patare for Respondent Nos. 6 and 7 in Serial Nos. 33 and 901.

Ms. Chaitrali Deshmukh for Respondent No.4 in Serial No. 2.

Mr. Anilkumar Patil i/b Mr. Digvijay A. Patil for Respondent Nos. 6 and 7 in Serial Nos. 15 and 17.

Mr. Mandar S. Bagkar for Respondent Nos. 6 and 7 in Serial No. 14.

Mr. Vinayak R. Kumbhar for Respondent Nos. 4 and 5 in Serial Nos. 18, 22, 23, 24, 25, 27, 28, 30, 31 and 61.

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CORAM : RAVINDRA V. GHUGE AND
HITEN S. VENEGAVKAR, JJ.

DATE : 15th APRIL, 2026

P.C. :

1. All these Petitions are admittedly identically placed with the individual Petitioners teachers/non teaching employees, who had approached this Court in a group of Writ Petition bearing Nos. 3839, 3840 and 3841 of 2026 (***Hemant Baliram Deore and Ors. vs. The State of Maharashtra and Ors.***). In the present Petitions, the Managements as well as the Learned AGPs, have appeared before this Court.

2. All the appearing parties are *ad idem* in saying that the judgment of this Court dated 27th March, 2026 delivered in ***Hemant Baliram Deore and Ors.*** (supra), is squarely applicable to all these Petitions.

3. The Learned Advocates for the Managements and the Learned AGPs submit that since this Court has taken a view in ***Hemant Baliram Deore*** *(supra)*, and the same would have to be made applicable to the present cases.

4. It is in the light of the above that we are not going into the details in each of these Petitions. Suffice it to say that the law on the following issues has been settled by this Court under paragraph 12 in ***Hemant Baliram Deore*** *(supra)* :-

> *12. We find that there are five issues to be considered in these cases, which are as under:*
>
> *(a) Whether the show-cause notices contained specific instances of irregularities, to enable the employees as well as the Management to respond to the specific allegations?*
>
> *(b) Whether there is a large passage of time between the closing of the matters and the date of the passing of the impugned orders?*
>
> *(c) Whether the hearings conducted by the Competent Authority, by calling 150 employees along with their Management and Headmasters, on a single day and collecting their written submissions filled into the prescribed formats appended to the show-cause notice, can be said to be appropriate hearings?*
>
> *(d) Whether the deficiencies noticed by the Competent Authorities in the appointments of the employees, amount to illegalities or irregularities, and whether any of such irregularities were condonable?*

(e) Whether there are any allegations of fraud or misrepresentation in the show-cause notices or conclusions against the Employees?

5. All the above five issues have been dealt with and answered by this Court in ***Hemant Baliram Deore*** *(supra).* Specific directions have been issued in Paragraph Nos. 33 to 39, which read as under :-

33. It must be borne in mind that when these Petitioners were appointed more than a decade ago, the Pavitra Portal Pranali was not in vogue; it was brought into effect pursuant to a judgment of this Court [Coram: B.R. Gavai (as His Lordship then was) & Indira K. Jain, JJ.] at the Nagpur Bench in Public Interest Litigation No. 08 of 2015 dated 24.06.2015 (Court on It's Own Motion V/s. State of Maharashtra through its Secretary, Department of Education, Mantralaya, Mumbai & Ors.). There is no conclusion by the nominated authority that fraud or misrepresentation has been indulged in, either by the Management or by the teachers.

34. A glance at the impugned order gives us a prima facie view that the reasons mentioned for cancellation of approval actually turn upon the conduct of the Management. It was the Management which can be alleged to have not followed the roster reservation. It is the Management which can be alleged to have indulged in an irregularity of not seeking prior permission of the Education Authority. It could be the Management which can be alleged to have indulged in an irregularity of publishing the advertisement in unknown or less circulated news papers, if that be the case. The Management should have been called upon to explain its conduct.

35. What has happened is that the nominated authority has not uttered a word against such a Management. The resultant effect of cancellation of the approval and Shalarth-ID, is like a death knell to the employees who are not at

fault. They are likely to lose their employment due to purported irregularities committed by the Management. We, therefore, conclude that the irregularities were condonable. If the reservation roster was not followed, the Management can be mandated to fill-up the backlog of reservation in future appointments. If advertisements were not published in widely circulated/approved newspapers by the State, if permission of the education department was not taken, the constituted authority can contemplate imposing heavy costs on the Management, subject to an opportunity of hearing to such Managements. Hence, our answer to issue nos. 4 and 5.

36. In view of the above and taking into account the afore stated reasons, these three Writ Petitions are partly allowed. The impugned orders are hereby quashed and set aside.

37. Since, the notices are also held to be unsustainable, if the authorities desire to conduct a proper hearing in these matters, they are at liberty to issue appropriate show cause notices afresh, mentioning the specific grounds in each case of the teachers or Management, as being grounds only towards indicating fraud or misrepresentation. Any issue touching an irregularity can also be confronted, but only with the Management and if it is noticed that the Management has indulged in such irregularities, the authority would be at liberty to pass orders penalizing the Management by any appropriate mode or by imposing a heavy cost to be deposited in the State Exchequer as a donation. But, unless a fraud or misrepresentation is noticed and the teachers can be held to be parties to such acts, the approval orders of the Petitioners shall not be questioned in view of the law laid down in Mrs. Shivanee Prasanna Deshpande (supra) and Pramod Prabhakar Pokhale V/s. State of Maharashtra, (2019) 3 Bom CR 278.

38. Consequentially, the approval orders and the Shalarth-IDs of these Petitioner teachers are restored. They shall be entitled to their salaries, as they have been working without a break in service.

39. Rule is made partly absolute in the above terms.

6. Considering the above, all **these Petitions are partly allowed**. The impugned orders are quashed and set aside. The directions issued in Paragraph Nos. 37 and 38 are made squarely applicable to all these Petitioners employees.

(HITEN S. VENEGAVKAR, J.) **(RAVINDRA V. GHUGE, J.)**