



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

WRIT PETITION NO. 1069/2025

- (1) **Ku. Chetana Wamanrao Kadu,**
Aged 39 years, Occ. Service,
- (2) **Shri Prashant Rameshwarrao
Ambekar,**
Aged 46 years, Occ. Service,
- (3) **Shri Vijay Ashok Waghmare,**
Aged 42 years, Occ. Service,
- (4) **Shri Sharad Narayanrao
Satavane,**
Aged 38 years, Occ. Service,
- (5) **Shri Ram Gautam Meshram,**
Aged 34 years, Occ. Service,

All Petitioner Nos. 1 to 5 are R/
o. C/o. St. John Higher
Secondary School, Chitoda
Road, Borgaon Meghe, Wardha,
Tah. & District Wardha

.....PETITIONER(S)

// VERSUS //

(1) **State of Maharashtra,**
Through its Secretary,
Department of School Education
and Sports, Mantralaya,
Mumbai-32.

(2) **Deputy Director of Education,**
Nagpur Division, Nagpur

(3) **New Adarsha Shikshan Sanstha,**
Pulgaon, Tal. Deoli, District
Wardha, Through its Secretary

(4) **St. John Higher Secondary
School,** Chitoda Road, Borgaon
Meghe, Wardha, Tah. And
District Wardha, Through its
Headmaster

.....**RESPONDENT(S)**

.....
Shri N.S. Warulkar, Advocate for the Petitioner(s)
Shri H.D. Futane, AGP for the Respondent/State
Shri U.V. Chakravarty, Advocate for the Respondent Nos. 3 & 4
.....

CORAM : M.S. JAWALKAR & NANDESH S. DESHPANDE, JJ.
APRIL 09, 2026

ORAL JUDGMENT :- (PER:- M.S. JAWALKAR, J.)

. **RULE. Rule made returnable forthwith.** Heard finally
by consent of learned Counsel for the respective parties.

(2) By this Petition, the Petitioners are seeking to quash
and set aside the order dated 30/10/2024 issued by the

Respondent No. 2 – Deputy Director of Education, Nagpur Division, Nagpur, who has erroneously rejected the proposal for grant of approval to the appointments of the Petitioners.

(3) It is the contention of the Petitioners that though the Respondent No. 2 – Deputy Director of Education, while rejecting the proposal, observed that the Respondent Nos. 3 and 4 appointed the Petitioners on the basis of the NOC granted by the Education Department in the year 2017, the said observation is contrary to the record.

(4) As against this, learned AGP pointed out that permission to fill up the posts granted by the Deputy Director of Education, vide its communication dated 01/08/2015, clearly goes to show that the permission was granted to fill up the seven posts of teaching staff in the branch of Arts and Science. Whereas, on perusal of the above advertisement, it can be seen that the Respondent Nos. 4 and 5 advertised for filling of two posts of non-teaching staff along with three posts of teaching staff. It is alleged that there was delay in submitting the proposal. After going through the correspondence between the parties, the delay is not attributable to the School or

Management. However, it clearly transpires that there was no sanction to fill up the posts of non-teaching staff and the said posts were filled in by the Management without there being any prior approval.

(5) It also appears that the Principal of the School, vide communication dated 29/10/2024, requested the Respondent No. 2 – Deputy Director of Education to grant permission to fill up two posts of non-teaching staff from 2014-15. However, there is no decision taken on this Representation.

(6) Admittedly, three appointments of teaching staff are as per the Rules and the Government Circular. There was earlier an advertisement letter dated 12/08/2015 in which some appointments were made, however, the Management informed that those were on temporary basis, and therefore, there is no illegality in filling up the posts in the year 2017, in pursuance to the second advertisement. As such, the post of teaching staff is as per sanction granted by the Respondent – Deputy Director of Education.

(7) At any rate, there was no approval for filling up the posts of non-teaching staff. Insofar as the appointment of

teaching staff is concerned, the Deputy Director of Education, Nagpur Division, Nagpur is hereby directed to re-consider the claim of the Petitioner Nos. 1 to 3, in view of the sanction order dated 01/08/2015. The Principal, Management and concerned the Petitioners are directed to remain present before the Deputy Director of Education on 20/04/2026 along with all the relevant documents.

(8) So far as the approval of non-teaching staff is concerned, the Deputy Director of Education shall take a decision on the Representation dated 29/10/2024 after hearing the Principal and the Management, within a period of four weeks from the date of appearance of the parties.

(9) With the above directions, the Writ Petition is **partly allowed to the extent of Petitioner Nos 1 to 3**. Pending Application(s), if any, stand(s) **disposed of**.

(NANDESH S. DESHPANDE, J.)

(M.S. JAWALKAR, J.)