



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 1601/2026

1. Rajashri Shikshan Sanstha,
Murmadi/ Lakhani, Tah- Lakhani,
Dist- Bhandara, through its Secretary.
2. Adivasi Vikas Rahashri Madhyamik
Vidyalaya, Jevnala, Tah- Lahani,
Dist. Bhandara, through its
Headmaster.

... PETITIONERS

...VERSUS...

1. Deputy Director of Education,
Nagpur Division, Nagpur.
2. The Education Officer (Sec.),
Zilla Parishad, Gondia

...RESPONDENTS

Mr. P. N. Shende, Advocate for petitioners
Ms. H. S. Dhande, AGP for respondent /State

CORAM : SMT. M.S. JAWALKAR AND
NANDESH S. DESHPANDE, JJ.

JUDGMENT DATED : 20th FEBRUARY, 2026.

ORAL JUDGMENT (PER : NANDESH S. DESHPANDE, J.)

1. Leave to amend the prayer clause and more particularly the date mentioned in prayer clause (A) and (B).
2. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.
3. Heard Mr. P. N. Shende, learned counsel for the petitioners.
4. Learned AGP waives notice for respondent nos. 1 and 2/State.
5. In view of the order we are proposing to pass, we do not think it necessary to call for the reply of the respondents.
6. It is submitted by the learned counsel for the petitioners that on 15.07.2008, the petitioner was granted permission to start a Secondary School and therefore the petitioner no. 2 started functioning by following the due process of law. It is also submitted that on 18.01.2024, due to retirement of two teachers, the

petitioners applied and published advertisements through the Pavitra Portal of the State Government, but no candidate was recommended for the said posts. On 07.11.2024, the petitioner submitted a proposal to the respondents nos. 1 and 2 for grant of permission to fill up the said vacancies by publishing advertisements from the open market. However, inspite of lapse of more than sufficient period, the respondent no. 1 has not taken any decision, which has constrained the petitioners to file the present petition.

7. We have seen the record of the matter with the assistance of learned counsels for the respective parties. Admittedly, representation regarding the said aspect is pending before the respondent no. 2, which is dated 07.11.2024, and thereafter reminders on 10.11.2025 and 12.11.2025. In that view of the matter, we are of the considered opinion that the petition can be disposed of with directions to the respondents to decide the said communication dated 07.11.2024 and reminders dated 10.11.2025 and 12.11.2025 within a particular time frame. We therefore pass the following order:-

ORDER

- i) Writ Petition is partly allowed.
- ii) It is hereby directed that the respondent no. 2 to decide the communication within four weeks from the date of receipt of the order in accordance with law.
- iii) Petitioners to appear before the said respondents on 26.02.2026 and to apprise the respondent no. 2 of the order of this Court.
- iv) Writ Petition is disposed of as such.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)

Shubham