



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

WRIT PETITION NOS.4017, 3968, 6086 & 7121 OF 2025

WRIT PETITION NO. 4017 OF 2025

PETITIONERS:

1. Sayali Ramesh Hirekhan, Aged about 35 years, Occu: Service, R/o: Ashiward Nagar, Nagpur, Taluka and Dist Nagpur.
2. Ajay Harishchandra Bhure, Aged about 45 years, Occu: Service, R/o: Bhandara, Taluka and Dist Bhandara.
3. Nilesh Dhanraj Dabhekar, Age: 33 years, Occu.: Services, R/o: Shaktimata Nagar, Tal and Dist. Nagpur.
4. Ajaykumar Lalaji Wanjari, Age: 41 years, Occu.: Services, R/o: Wathoda, Tal and Dist. Nagpur..

-Versus -

RESPONDENTS:

1. State of Maharashtra, (Through its Secretary), Department of School Education and Sports Department, Mantralaya, Mumbai-400032.
2. Education Director (Primary), Maharashtra State, Central Building, Dr. Annie Besant Road, Pune – 1.
3. Deputy Director (Education) Nagpur Division, Nagpur.
4. Education Officer (Primary), Nagpur-440010.

5. Bansrajsinh Thakur Education Society, through its Secretary, plot No. 2, Tilak Nagar, Nagpur - 440010.
6. Nirala Hindi Primary School, through its Principal, Hansapuri Central Avenue Road, Nagpur 440018.
7. Superintendent, Pay and Provident Fund, Unit, Primary Education, Nagpur.

 Mr. K. S. Agrawal, Adv. for the petitioners.
 Mrs.S.S.Jachak, AGP for the respondents-State.
 Mr.Saransh Wasnik, Adv.for the respondents-Zilla Parishad Nagpur.

WRIT PETITION NO. 3968 OF 2025

PETITIONER:

1. Anjum Mohammad Mushtaque, Aged about 52 years, Occu: Service, R/o: House NO. 268, New Itwari Road, Gandhi Chowk, Near Hanuman Mandir, Taluka and Dist Nagpur.
2. Aareefa Shaheen w/o Irshad Ahmed, Aged about 55 years, Occu: Service, R/o: Shaukat Ali Road, Qajipura, Ganjipeth, Behind Dargah Baba Qasim Shah, Taluka and Dist Nagpur.

-Versus -

RESPONDENTS:

1. State of Maharashtra, (Through its Secretary), Department of School Education and Sports Department, Mantralaya, Mumbai-400032.
2. Education Director (Primary), Maharashtra State, Central Building, Dr. Annie Besant Road, Pune – 1.

3. Deputy Director (Education) Nagpur Division, Nagpur.
4. Education Officer (Primary), Nagpur-440010.
5. Bansrajsinh Thakur Education Society, through its Secretary, Plot No. 2, Tilak Nagar, Nagpur - 440010.
6. Genda Singh Thakur Public Primary School, through its Principal, Thakur Plot, Plot No.3/1, Tajbagh Sharif, Nagpur-24.
7. Superintendent, Pay and Provident Fund, Unit, Primary Education, Nagpur.

Mr. K. S. Agrawal, Adv. for the petitioners.
Mrs.S.S.Jachak, AGP for the respondents-State.
Mr.Saransh Wasnik, Adv.for the respondents-Zilla Parishad Nagpur.

WRIT PETITION NO. 6086 OF 2025

PETITIONER:

Dhananjay Ramaji Jogi, Age 34 years,
Occu: Teacher, R/o Ward No.2, Khapa,
(Narsala), Saoner, District: Nagpur.

-Versus -

RESPONDENTS:

1. Deputy Director of Education Nagpur Division, Nagpur.
2. Education Officer (Primary), Zilla Parishad, Nagpur.
3. Superintendent Pay and Provident Fund Unit, Primary Education, Zilla Parishad, Nagpur.
4. Vidya Shikshan Prasarak Mandal, Academy of Higher Education,

Nagpur, having its office near Lata Mangeshkar Hospital, Sitabuldi, Nagpur, through its President.

5. Jawaharlal Nehru Primary School, Wadi, Kachimet, District: Nagpur-440016 Through its Headmaster.

 Mrs.Ketki Joshi, Adv. for the petitioner.
 Mrs.S.S.Jachak, AGP for the respondents-State.
 Mr.Saransh Wasnik Adv. for the respondents-Zilla Parishad Nagpur.

WRIT PETITION NO. 7121 OF 2025

PETITIONERS:

1. Shri Narayana Manavseva Tatha Shikshan Prasarak Mandal through its President, Kanhan, Tah. Parseoni, District- Nagpur.
2. Shri Narayana Vidyalala Hindi Uchha Primary School, Kanhan, Tah. Parseoni, District- Nagpur Through its Head Master.
3. Mrs. Rajani Akashkumar Nanani, Aged about 34 yrs., Occ.: Service, R/o Shiv Nagar, Ashirvad, Ward No.4, Kanhan, District- Nagpur.

-Versus -

RESPONDENTS:

1. State of Maharashtra through its Secretary, Education & Sports Department, Mantralaya, Mumbai-32.
2. The office of Directorate of Education Through its Director, Office at Pune-1.
3. Deputy Director of Education, Nagpur Division, Nagpur.
4. Education Officer (Primary), Zilla Parishad, Nagpur.

Mr. A.D.Mohgaonkar, Adv. for the petitioners.
Mrs.S.S.Jachak, AGP for the respondents-State.
Mr.Saransh Wasnik, Adv. for the respondents-Zilla Parishad Nagpur.

**CORAM: SMT. M. S. JAWALKAR &
NANDESH S. DESHPANDE, JJ.**

**CLOSED ON : 5TH MAY, 2026
PRONOUNCED ON : 7TH MAY, 2026**

J U D G M E N T (Per : Smt. M. S. Jawalkar, J.)

Heard.

2. **Rule.** Rule is made returnable forthwith. Heard finally with the consent of the learned counsel for the parties.

3. Above all the petitions are filed by the petitioners for seeking direction to the respondents to release their salary, which was stopped since March, 2025 without any notice or without there being any fault on their part. At the time of issuance of notice in petitions, as there was no show cause notice and salary was stopped since March, 2025, considering this aspect and also considering the fact that the respondents are exacting the duties from the petitioners as a teacher, the schools are being run, even election duties, census duties are directed to be carried out by these employee-teachers, by way of interim relief, the respondents were directed to release their salary. In some of the petitions, the respondents-Authorities issued impugned

communications, thereby cancelled the approvals granted to the petitioners-employees. The said impugned communications are challenged by the petitioners in some of the petitions. The appointment orders and approvals granted to the petitioners-employees are annexed with the petitions.

4. It appears that there was no reply filed till February, 2026, except in one of the matters. However, it appears that the Hon'ble Apex Court recorded that since pleadings have been completed, this Court was requested to decide Writ Petition No.5647 of 2025 along with all other similarly placed writ petitions, which are stated to be 86 in numbers finally one way or the other within a period of four weeks. It appears that factually incorrect statement was made that pleadings have been completed. In fact in Writ Petition No.5647 of 2025, respondent No.1 filed its reply on 11/02/2026 and respondent No.2 filed its reply on 23/03/2026 after disposing of the Special Leave Petition. As such, in that petition also pleadings were not complete. In fact, in most of the matters pleadings were not complete and after passing of order by the Hon'ble Apex Court, the respondents itself filed their reply. Prior to that, there was no reply nor any application for modification of order or challenge to the interim order. In spite of the order of Hon'ble Apex Court, the time was granted to

the respondents to complete their pleadings and matters are taken up in group for decision.

5. It is common contention of the petitioners that the action of the respondents-Authorities in withholding salary is arbitrary, illegal and unreasonable. It is also a common submission of the petitioners that without issuing any show cause notice and without initiating any departmental enquiry, the respondents-Authorities abruptly cancelled the approval orders and Shalarth IDs of the petitioners-employees. It amounts to punish the petitioners for no fault on their part. Being arbitrary, the impugned action is violative of Article 14 of the Constitution of India. It is further contention that petitioners-employees are duly qualified and appointed after following the due procedure of law and only after they met the eligibility criteria, they were granted approval orders by the respondent-Education Officer (Primary), Zilla Parishad, Nagpur and Shalarth IDs were given to them, after due verification of their information. The petitioners had no role to play in issuance of Shalarth IDs and they are discharging their duties continuously. Thus, the action of denying salary to the petitioners is arbitrary and amounts to colourable exercise of power. The petitioners have no role insofar as allotment of Shalarth ID, except of supplying of information to the respondents, who are then responsible for verification of the information and allotment of

Shalarth ID. Therefore, the respondents' actions of stoppage of salary to the petitioners-employees for their own shortcomings and cancellation of approval orders abruptly are completely unwarranted and bad-in-law.

6. Since the issue involved in these petitions is identical to the issue involved in the recent judgments of this Court passed in **Writ Petition No.7441 of 2025 (Shrikant Ganpatrao Pawar and others v. State of Maharashtra and others)** along with connected matters, decided on 21/04/2025 and **Writ Petition No.6163 (Badri Kondu Chavhan and others v. The State of Maharashtra and others)** with connected matters, decided on 27/04/2026, these petitions are fully covered by the said judgment. Gist of the facts of each petition is as under:

6.1. In Writ Petition No.4017/2025, the Petitioner No. 1 to 4 are employees of the Respondent No.4 School and Respondent No.5 is the Management, wherein Petitioner No.1 is working as Junior Clerk, Petitioner No. 2 is working as Peon and Petitioner No. 3 and 4 are working as Assistant Teachers. The Petitioner Nos.1 to 4 were **appointed** in the Respondent No.4 School on their respective posts **between the years 2011 and 2013**, and their appointments were **duly approved** by the Respondent Authorities. It is submitted by the Petitioners that they have duly submitted their draft proposals for the

approval of Shalarth IDs and **they were issued their respective Shalarth ID numbers** consequent to the scheme framed by the State Government on 07/11/2012.

6.2. In Writ Petition No.3968/2025, the Petitioner Nos.1 and 2 are employees of the Respondent No. 6 School and Respondent No.5 is the Management, wherein Petitioner No. 1 and 2 are working as Assistant Teachers. The Petitioner Nos. 1 and 2 were **appointed** in the Respondent No. 6 School on the post of Assistant Teacher **in the year 2013**, and their appointments were **duly approved** by the Respondent Authorities. It is submitted by the Petitioners that they have duly submitted their draft proposals for the approval of Shalarth IDs and **they were issued their respective Shalarth ID numbers** consequent to the scheme framed by the State Government on 07/11/2012.

6.3. In Writ Petition No.6086/2025, the Petitioner is an employee of the Respondent No. 5 School and Respondent No. 4 is the Management, wherein Petitioner is working as Assistant Teacher. The Petitioner was **appointed** in the Respondent No.5 School initially on the post of Shikshan Sewak **in the year 2016**, and his appointment was **duly approved** by the Respondent Authorities. It is submitted by the Petitioner that he has duly submitted his draft proposal for the approval of Shalarth ID and **he was issued his respective Shalarth ID**

number consequent to the scheme framed by the State Government on 07/11/2012.

6.4. In Writ Petition No.7121/2025, the Petitioner No. 3 is an employee of the Petitioner No. 2 School and Petitioner No. 1 is the Management, wherein Petitioner No.3 is working as Assistant Teacher. The Petitioner No.3 was **appointed** as Assistant Teacher **in the year 2015**, and his appointment was **duly approved** by the Respondent Authorities. It is submitted by the Petitioner that he has duly submitted his draft proposal for the approval of Shalarth ID and **he was issued his Shalarth ID number** consequent to the scheme framed by the State Government on 07/11/2012.

6.5. Apart from the citations referred in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters**, (*supra*), learned counsel Mr.K.S.Agrawal for the petitioner relied on the the judgment passed by Madras High Court in **G.Murugan (Deceased) and others v. The District Collector, Thiruvannamalai District (Writ Petition No.26243 of 2014)**

6.6. The issue involved in the present writ petition is similar to the issue involved in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters**, (*supra*). The issue is already covered by the said judgment. In addition to this, the learned counsel for the petitioners

drew our attention to the order passed by this Court on 06/04/2026, which reads as under:

“Heard learned Counsel for the respective parties.

(2) It is the contention of the Petitioners that their salaries were stopped since March, 2025 without giving any show cause notice nor any orders passed in that regard. The Respondents issued notices to the Petitioners, Management as well as Headmaster on 24/01/2026. In pursuance to that, the Petitioners remained present before the Authority along with the original documents. The Respondents, though verified original documents, passed the impugned order dated 26/02/2026 and concluded that approval order was not issued by the office of the Deputy Director of Education, Nagpur Division, Nagpur. One of the reasons for such conclusion is that the original record is not produced by the Petitioners. The Petitioners filed their explanation in detail vide communication dated 12/03/2026 wherein they have specifically mentioned that though they were having original record and shown to the Officers, still such orders are passed. Even today, the Petitioners are ready to produce the original documents before the Authority.

(3) Upon this, learned AGP contends that if such documents are produced before the Deputy Director of Education, Nagpur Division, Nagpur, the Deputy Director of Education would take a fresh decision.

(4) The Petitioners shall appear before the Deputy Director of Education, Nagpur Division, Nagpur on 08/04/2026 at 11:00 am along with all the original documents and copies thereof.

(5) The Deputy Director of Education shall get the copies verified from the original and return the original documents to the Petitioners. Thereafter, the Deputy Director of Education shall take a decision in the matter by 17/04/2026.

(6) List the matters on 20/04/2026. By that time, the Deputy Director of Education shall submit the compliance report.”

6.7. Accordingly, the petitioners in Writ Petition Nos.4017 and 3968 of 2025 were present before the respondent-Deputy Director of Education on 08/04/2026 with all the original documents and copies thereof. However, there is no order passed till 17/04/2026 and the respondent-Deputy Director of Education got time extended till 27/04/2026. By way of amendment, the petitioners challenged the show cause notice dated 24/01/2026, which was issued during the pendency of the petition. The impugned show cause notice is vague and devoid of material particulars. There is no specific allegations against the petitioners and thereby the petitioners are deprived of to understand the case against them and to raise their effective defence. The notice fails to allege any specific charge of fraud or misrepresentation against the petitioners. There is no allegation of fraud or misrepresentation or suppression committed by the petitioners. The foundation of the action itself is defective and there is blatant violation of principles of natural justice. It appears that these orders of cancellation are passed mechanically and has not given any reason for the cancellation. It can be seen from the orders that though it is mandatory in view of GR dated 10/06/2022 requiring the presence of the officer, who originally granted individual

approval, was not present at the time of so called hearing. The cancellation orders were never served to the petitioners, but they were served upon the counsel across the Bar. It also appears that though the present petitioners produced all the original documents, which is reflecting from the order itself that those documents were verified and returned to the concerned. From the order itself, it appears that the petitioners presented their documents along with written submissions on 13/04/2026. However, the Education Officer (Primary), who had issued orders, was absent and one of his representatives appears to be filed his submissions on 24/04/2026. On submission of the documents and written submissions, there was no date given by the Authority for further hearing. What is the submission made by the representative on 24/04/2026 was not made available to the petitioners. The documents i.e. inward outward register was never supplied to the petitioners and they were placed on record along with reply. Admittedly, those were submitted on 24/04/2026 on which there was no hearing fixed, nor the petitioners were given any opportunity to rebut the same. At any rate, only on the basis of discrepancy in outward number, the petitioners cannot be put to peril as admittedly all the documents placed on record by the petitioners before the respondent-Deputy Director of Education, which were duly acknowledged by the Department. As held in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters, (*supra*)**,

the said GR is very specific and at each level there is verification of documents and if the said procedure as prescribed in the above referred GR is not followed, the consequences are also given in the said GR like recovery from the concerned Education Officer (Primary) or the Deputy Director of Education as the case may be and departmental enquiry. Thus, the impugned orders are patently in violation of principles of natural justice and based on the unsustainable show cause notice. The only ground appears to be for cancellation of approval that there is discrepancy in the outward number, which is not attributable at all to the petitioners-teaching and non-teaching staff. Moreover, the signature of the Education Officer (Primary) along with seal is also not denied in respect of the present petitioners. The learned counsel for the petitioners relied on the judgment of the Madras High Court in **G.Murugan (Deceased) and others v. The District Collector, Thiruvannamalai District** (*supra*), wherein it is held in para-45 as under:

“45. The burden of proof clearly lies on the Department. The officers who had signed the service entries were not examined. The petitioner is not bound to prove his innocence regarding the alleged manipulation of the Service Register, as the Service Register is never accessible to any employee, much less to anyone who is not an employee. It is highly inconceivable that the petitioner could have manipulated the Service Register even before he entered into service. The Service Register may or may not have been manipulated by the then Head of the

Department and other officers who were stationed at the headquarters when the office was located within the North Arcot Ambedkar District, which subsequently came to be substituted by the Thiruvannamalai District.”

6.8. From the impugned order itself, it is clear that no opportunity was granted by supplying the written submissions of the Education Officer (Primary) or the documents i.e. inward outward register to the petitioners and even after the impugned orders came to be passed. Even the impugned orders were not served to the petitioners, but supplied along with reply.

6.9. In Writ Petition No.6086 of 2025 similar stand taken by the respondents-Authorities that outward number does not match and therefore, it is concluded that the proposal for Shalarth ID was not forwarded by the Education Officer. Admittedly, the petitioner is receiving salary since 2021. However, it is contention of the respondents-Authorities that as appointment order is of 2016, the petitioner was without salary from 2016 till 2019. Therefore, it is concluded that Shalarth ID was issued by misusing the password and log in ID. Admittedly, the petitioner was working in the school from 2016 on no grant-in-aid basis, therefore, there was no question of payment of salary from grant. The impugned order dated 27/04/2026 clearly shows that the original documents were duly supplied referred in the conclusion on 08/04/2026. It was directed to conclude the

hearing and submit a report by 17/04/2026. However, the learned AGP got time extended. It appears that the representative of the Education Officer (Primary) was present on 24/04/2026 and issued communication dated 24/04/2026. As referred above, no opportunity was granted, nor it was fixed for any hearing on that day. It is brought to our notice by way of amendment that the impugned order dated 03/02/2026 passed by the respondent No.1 was based on total misconception of facts and admitted data. It was submitted that “*the entire case of the petitioners was considered from the point of view that the alleged outward No.9339 of his approval dated 26/11/2021, but does not match with the outward register*”. This is totally misleading and factually wrong statement, since the fact of the matter is that the outward number of approval order is ‘9334’ and not ‘9339’. It was pointed out that this fact is clear from the factual finding recorded by the same officer that the respondent No.1 in a similar order passed in the case of *Nikhil Dholekar and others (Writ Petition Nos.6438 and 6060 of 2025)*. Since the said approval was common to the petitioners and the said *Nikhil Dholekar and others*, it is clear that the correct outward number is 9334 and not 9339. It was also pointed out that in the case of *Nikhil Dholekar and others*, the said Authority had clearly recorded the finding that the outward number on approval was granted. In view of this ground raised by the petitioners, that there was common approval granted to the

petitioners along with *Nikhil Dholekar and others* in respect of three of the persons from the common order of approval was cancelled on the ground that the outward number does not tally. Therefore, the petitioners were permitted to appear before the respondents on 08/04/2026 and submit their contentions. The respondent No.1 was directed to take decision by 17/04/2026. The petitioners supplied the entire set of documents explicitly pointed to the common order of approval dated 26/11/2021 and also pointed out that the outward number is 9334 and not 9339. The petitioners also placed on record, the order passed by the same Authority in the case of *Nikhil Dholekar and others* to substantiate his submission. It is also a matter of record that though order came to be passed on 27/04/2026, the order was not served to the petitioners and the said order was served on the counsel for the petitioners on 28/04/2026 by which the respondent No.1 reaffirmed her earlier decision dated 03/02/2026 and shockingly recorded a finding that the outward No.9339 of approval dated 26/11/2021 does not match with the outward register. The said Authority also committed a factual blunder by recording a finding that the petitioner was appointed on grant-in-aid basis on 01/07/2016, whereas admittedly, the petitioner was taken on grant-in-aid basis by approval order dated 26/11/2021.

6.10. Similar chain of events followed in Writ Petition No.7121 of 2025, wherein, the respondent-Deputy Director of Education called the petitioners for hearing on 28/01/2026. The petitioners submitted that on 31/01/2026 all the original documents were submitted to the respondent-Deputy Director of Education. However, no action was taken on the part of respondent-Deputy Director of Education. Again on 09/04/2026, notices were served on the petitioners calling upon them to appear on 13/04/2026, after which the respondent-Deputy Director of Education supposed to give his decision before 17/04/2026 as directed by this Court. However, no such decision was communicated to the petitioners, surprisingly the AGP served the copy of the said decision to the petitioners in the Court on 27/04/2026, thereby cancelling the approval orders granted to the petitioners by giving a baseless reason that the outward number does not match the record available with the Education Officer.

7. The learned AGP for the respondents-State Authorities adopted their submissions made in the recent judgment of this Court in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters**, (*supra*).

8. Learned counsel Shri S. Wasnik also adopted the submissions made in the judgment of this court in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters**, (*supra*).

9. In the present matters, as observed in the judgment of Principal Seat in **Writ Petition 3839 of 2025 (*Hemant Baliram Deore and others v. The State of Maharashtra and others*) with connected petitions**, decided on 27/03/2026, that near about 150 teachers along with their Management and Headmasters were called on one day and they were directed to fill up the information on 22 points in one form. They were directed to submit the documents and without granting any opportunity of hearing, the respondents-Authorities cancelled the approvals of the petitioners-employees.

9.1. In fact, after putting service for more than 10 to 15 years, in such hasty manner, the enquiry is concluded without granting proper opportunity is itself violation of principles of natural justice. It is a matter of record that the schools were being inspected every year and none of the Authorities raised any objection about the approvals or any other irregularity or illegality since 10 to 15 years of petitioners-employees' appointments. Even if it is presumed that there is any irregularity and if timely action would have been taken, the petitioners-employees would have opportunity to opt for any other job. However, after 10 to 15 years of service, after granting due approval, after payment of salary years together, their approvals were cancelled without granting proper opportunity of hearing rendering

them without income. Many of them might have crossed age to secure any alternative job.

9.2. As referred above, the Principal Seat in **Hemant Baliram Deore and others v. The State of Maharashtra and others** (*supra*) held that the show cause notice does not even whisper of any specific charge or irregularity, much less point out any particular illegality or fraud/misrepresentation alleged to have been committed while granting approval to the petitioners-employees. At the foundation itself, that is, show cause notice is vague, not specific, lack details and/or unintelligible that is sufficient to hold that the noticee was not given proper opportunity of hearing to meet the allegations indicated in the show cause notice. The Principal Seat also observed that the undue haste and no proper opportunity was granted to the petitioners. It is also rightly observed that the incumbent Education Officer as well as the then Education Officer, who are alleged to have resorted to illegalities and irregularities were absent. In the present matters also, the same procedure/*modus operandi* adopted by the Enquiry Officer. **As seen from the GR dated 10/06/2022, in Clause 3.1, it is specifically directed to the Deputy Director of Education that if it revealed that the earlier approval was granted irregularly or illegally and it is *prima facie* opinion of the Deputy Director of Education, in that circumstances, it is necessary to pass interim orders**

along with reasons for coming to the *prima facie* opinion and informing to the concerned that detail enquiry would be conducted. Until completion of detail enquiry, the proposal for inclusion of new name would remain in abeyance. It is specifically mentioned that if detail enquiry has to be conducted, the concerned employee, the concerned Management, educational institution so also the officer, who have issued individual approval, were required to be noticed and after hearing them, detailed reasoned order shall be passed. Thus, it is clear that in absence of officer, who has issued the approval orders, the enquiry is not as per the provisions or as per the GR and in complete violation of GR. Moreover, no personal hearing was granted to any of the petitioners as observed by the Principal Seat, as they were directed to fill up the form on 22 points and no personal hearing was granted. Even in some matters though petitioners were present, they were shown as absent.

9.3. It is observed by the Court that taking into account that these petitioners-teachers were working for more than 10 to 15 years, there was no reason for the nominated authority to resort such 'undue haste' procedure of conducting the hearings, which clearly appears to be a farce or an eyewash. It is held that the hearing is therefore, faulty and cannot be sustained. Moreover, the Principal Seat also observed that even if there are some irregularities, those are

condonable and not attributable to the employees, who are serving since last more than 10 to 15 years. There are no allegations of fraud or misrepresentation in the show cause notice or any conclusion against the petitioners-employees. Relying on the decision in ***Shivanee Prasanna Deshpande v. State of Maharashtra and others***, (Writ Petition No.10133 of 2016, decided on 01/08/2017), this Court held that approvals granted cannot be interfered with and cannot be set aside, save and except for the reason that a fraud has been committed. Even if the Education Officer granted approval erroneously, the same cannot be made ground to recall the approval order and pass a cancellation order, unless a case of fraud, misrepresentation, or suppression is established. The facts involved in the present matters are identical, even show cause notices, the hearing granted also revealed that the procedure adopted by the enquiry officer on the basis of show cause notice, which is not specific and which is vague, is unsustainable and therefore, the subsequent actions based on the above referred purported show cause notices are also unsustainable. We fully agreed with the judgment passed in ***Hemant Baliram Deore*** (*supra*). Even if there are some instances noticed by the Department, it does not give such power to take such arbitrary action against all the employees. It is admitted fact that Pavitra Portal though installed not functioning for many years. Even there was huge pendency of proposals for Shalarth IDs. UDISE+ is

also not updated and many institutions requested for correction in the said Portal. Thus, for the flaws in the system the teachers/staff cannot be blamed specifically when they are having no role to play. We are of the firm opinion that the office of respondents are not in order and they are blaming the teachers/staff.

10. The learned AGP submitted that in addition to the above submissions, he adopted the submissions made in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters, (*supra*)**.

11. All the issues involved in these petitions are covered by the judgment in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters (*supra*)**. Therefore, for the reasons mentioned in the recent judgments of this Court in **Writ Petition Nos.7441 and 6163 of 2025 and connected matters, (*supra*)**, we pass the following order.

12. The present writ petitions are partly allowed.

13. The impugned purported show cause notices and the impugned communications/cancellation orders pursuant to the purported show cause notices are hereby quashed and set aside as are unsustainable. The impugned communications/orders dated 24/01/2026, 03/02/2026, 26/02/2026, 27/04/2026, issued by the respondent-Deputy Director of Education, Nagpur Division, Nagpur to the petitioners and note scribed on Pay Bill dated 02/05/2025 &

29/04/2025 by Superintendent of Pay and Provident Fund Unit and the Education Officer (Primary) are also quashed and set aside.

14. 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 ground in each case of the petitioners-employees 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 as well as the concerned officer has committed irregularities or not followed the procedure prescribed by the GR dated 10/06/2022, the respondents-Authorities are at liberty to make loss good from the concerned officer or by imposing penalty on the Management. However, **unless** a fraud or misrepresentation is noticed and the petitioners-employees are held to be parties to such acts. The Shalarth IDs, approval orders of the petitioners-employees shall not be questioned as held in view of law laid down in ***Mrs.Shivanee Prasanna Deshpande v. State of Maharashtra and others*** (*supra*) and the same are restored.

15. The petitioners-employees are entitled to their salary, which is stopped since March, 2025 and thereafter, as they have been working without a break in service. The respondents-Authorities are directed to pay the arrears of salary within a period of four weeks and to continue to pay the same.

16. Rule is made partly absolute in the above terms. No costs.

(NANDESH S. DESHPANDE, J)

(SMT. M. S. JAWALKAR, J)