



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION No.4808 OF 2025

Syed Asghar Ali Syed Nisar Ali,
Aged about 53 years, Occu : Service,
Address at Nagar Parishad Urdu Secondary
and Higher Secondary School,
Morshi,
Dist. Amravati.

: PETITIONER

...VERSUS...

1. State of Maharashtra,
Through its Secretary,
School Education and Sports Department,
Mantralaya,
Mumbai.
2. Deputy Director of Education (Secondary),
Amravati Division, Tope Nagar,
Amravati.
3. Education officer (Secondary),
Zilla Parshad,
Amravati.
4. Municipal Council, Morshi,
Through its Chief Officer,
Morshi, Dist. Amravati.
5. Nagar Parishad Urdu Secondary and
Higher Secondary School,
through its charge Headmaster,
Morshi, Dist. Amravati.

: RESPONDENTS

=====

Mr. S.G. Shukla, Advocate for Petitioner.

Mr. H.D. Futane, Assistant Government Pleader for Respondent Nos.1
to 3.

=====

CORAM : **SMT. M.S. JAWALKAR AND**
NANDESH S. DESHPANDE, JJ.
DATE : **05th FEBRUARY, 2026.**

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

1. Rule. Rule made returnable forthwith. Heard finally by consent of parties.
2. In spite of service of notice of this Court, the respondent Nos.4 and 5 have not chosen to appear. However, in view of the order, we do not think it necessary to call or wait any reply of all the respondents.
3. The petition is filed for direction to the respondents to appoint the petitioner as a Full Time Head-Master of the respondent No.5 School w.e.f. 1.6.2024 with all consequential benefits. In alternate, he prays for a direction to the respondents to decide the representation dated 2.2.2025 made by him in the matter of his appointment as a Full Time Head-Master of respondent No.5 in time bound manner.
4. We have heard Mr. A.S. Shukla, learned counsel for the petitioner.
5. The fact regarding the petitioner being appointed as an Assistant Teacher in the respondent No.5 School run by the respondent No.4 on 7.9.1996 and his services being approved

subsequently on 26.9.2002 this fact is borne out from the record. It can also be seen from the record that from 15.11.2006 the petitioner was promoted as a graduate Teacher. It can also be seen from the petition that on 10.11.2023 since the seniority list was wrongly prepared petitioner had submitted objection to the same and accordingly it was corrected. On 17.5.2024 another seniority list was prepared in which name of one Mohammed Anis was wrongly shown at Sr. No.2 and the name of the petitioner was shown at Sr. No.3 in spite of the fact that the said person was junior to the petitioner. Accordingly, the petitioner submitted objection to the said seniority list. On 31.5.2024 one Syed Akil Ahmed retired, however, since the petitioner was on leave, the post of Head-Master was given to said Mohammed Anis.

6. On being requested by the petitioner on 29.8.2024 by filing an application nothing was done at the end of the respondent. It is, therefore, the submission of the petitioner that despite letter/s and more particularly the representation dated 2.2.2025 nothing has been done in the matter.

7. In view of these facts emerging from the record, we direct the respondent Nos.2 and 3 to decide the representation pending before them made by the petitioner on 2.2.2025 within a particular time frame. We, therefore, pass the following order ;

ORDER

(i) The Writ Petition is allowed.

(ii) The petition is disposed of with a direction to the respondent Nos.2 and 3 to decide the representation dated 2.2.2025 within six weeks from the date of receipt of the order.

(iii) The petitioner to appear before the respondent Nos.2 and 3 on 12th February, 2026 and appraise the said Authority of the said order.

(iv) Rule is made absolute accordingly.

(NANDESH S. DESHPANDE, J.)

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