



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

WRIT PETITION NO.308 OF 2026

SAMARTH RAMDAS SHIKSHAN SANSTHA THR. PRESIDENT, RAMESH S/O
PYARELAL UJAWANE

VS

THE EDUCATION OFFICER (SECONDARY), ZILLA PARISHAD, GONDIA AND
OTHERS

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. Amit Bhate, Advocate for the petitioner/s
Mr. D.P. Thakre, Addl. G.P. for the respondent/State

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATE : 14.01.2026

1. Heard the learned counsel for the petitioner.
2. The petitioner has approached this Court seeking challenge to the impugned communication dated 10.12.2025 issued by the respondent No.1-Education Officer (Secondary), Gondia to the respondent No.2-Principal Accountant General (Audit).
3. The aforesaid communication forwards the pension case proposal of one Shri Sukchand Lahanu Shahare, who was due to retire on 31.12.2025.
4. The grievance is that the aforesaid pension case forwarded by the respondent No.1 was submitted by Shri Sunil Akant, who claimed to be Secretary of the petitioner-Trust.
5. The learned counsel for the petitioner submits that

the recommendation of the pension case was made at his behest in the capacity as Secretary of the petitioner-trust, despite the fact that the dispute is pending before the learned Assistant Charity Commissioner, Gondia

6. In view of the above, we are of the considered opinion that although the dispute regarding the powers of the real management is pending before the learned Assistant Charity Commissioner, forwarding the pension proposal of Shri Sukchand Lahanu Shahare would not be prejudiced by the pendency of the said dispute, as his entitlement is not in dispute.

7. Thus, we are not inclined to entertain the present petition, seeking challenge to the pension proposal forwarded by the respondent No.1 to the respondent No.2 for its consideration on merits.

8. However, we observe that the aforesaid proposal forwarded by respondent No.1 at the behest of Shri Sunil Akant, especially in the capacity as Secretary of the petitioner-Trust, shall not be deemed as recognition or confirmation of Shri Sunil Akant as Secretary of the petitioner-Trust, since the said issue is already under consideration in the dispute and the change report pending before the learned Assistant Charity Commissioner, Gondia. The said authority shall decide the matter independently on its own merits, and we accordingly

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refrain from making any observations on the merits of the said claim.

9. Accordingly, the writ petition is **disposed of** in the above terms. No order as to costs.

(RAJ D. WAKODE, J.)

(ANIL S. KILOR, J.)