



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

NAGPUR BENCH, NAGPUR

WRIT PETITION NO. 2974 OF 2026

Nila Dashrath Bhande,
Aged about 51 years, Occ: Service,
R/o. "Mauli Niwas", Sudhir Colony,
Ram Nagar, Tq. & Distt. Akola.

...PETITIONER

VERSUS

1. The State of Maharashtra, through
its Secretary, Rural Development,
& Water Conversion Department,
Mantralaya Mumbai-32.
2. Zilla Parishad, Akola,
District - Akola,
Through its Chief Executive Officer.
3. Education Officer(Primary)
Zilla Parishad, Akola.
4. The Panchayat Samiti, Akola,
Tq. & District Akola,
Through its Block Education Officer.
5. The Panchayat Samiti, Akola,
Tq. & District Akola,
Through its Block Development
Officer.

...RESPONDENTS

Shri R. D. Karode, Advocate for petitioners
Ms D.I. Charlewar, AGP for respondent/State
Shri M.V. Bute, Advocate for respondent Nos. 2 to 5

CORAM : SMT. M.S. JAWALKAR AND
DATE : NANDESH S. DESHPANDE, JJ.
10.04.2026

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

Heard.

2. Rule. Rule is made returnable forthwith. Heard finally with the consent of the parties.
3. Issue notice to the respondents.
4. Learned Assistant Government Pleader waives notice for respondent No.1/State.
5. Shri Bute, learned Counsel is causing appearance on behalf of respondent Nos. 2 to 5.
6. The facts which can be seen from the petition are as under :

The present petition challenges the order/list of surplus teachers dated 25.02.2026 to the extent of the petitioner which is published by respondent Nos. 4 and 5.

7. We have heard Shri R.D. Karode, the learned Counsel for the petitioner. By taking us through the Government Resolution dated 18.05.2011, and more particularly clause 3 thereof, it is the contention of the learned Counsel for the petitioner that even though the petitioner was junior to some other employees as mentioned in the said list, she has been directed to be absorbed. He takes us through the list published, at Annexure D of the petition. It is therefore his contention that the action of declaring the petitioner as surplus is against the provisions of the said Government Resolution. After going through the record, we find that after the list is published on 25.02.2026, a representation is made by the petitioner on the very next day i.e. 26.02.2026 which, according to the petitioner is pending till date.

8. In that view of the matter, in our considered opinion, it would be in the fitness of things to direct the respondent Nos. 2 and 3 to decide the said representation in the light of the Government Resolution stated above and in the light of all other policies in vogue regarding the subject matter. The said decision has to be taken within two weeks. To avoid any complication in the future, we direct the petitioner to appear before the respondent Nos. 2 and 3 on 15.04.2026 and abide by the further direction of

this Court. The respondent Nos. 2 and 3 are directed to decide the said representation in accordance with law as aforesaid till 30.04.2026 with these directions, the writ petition is disposed of .

9. The learned Counsel for the petitioner contends that she is still working at Zilla Parishad Uppar Primary School, Chikhalgaon. We, therefore, in the meanwhile, direct respondent Nos. 2 and 3 not to disturb her present posting till 30.04.2026 and decide the representation accordingly. The writ petition is disposed of.

(NANDESH S. DESHPANDE, J.)

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

Jayashree..