



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 3900 OF 2026

Kum. Sunanda d/o Narayansa Band
..VS..

The State of Maharashtra and others

WITH

WRIT PETITION NO. 3703 OF 2026

Manora Shikshan Sanstha through its President Dr. Sanjay Chandansa Rothe
..VS..

The State of Maharashtra and others

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

Court's or Judge's orders

Writ Petition No.3900/2026.

Mr. Rohan Joshi, Advocate for the petitioner.

Mrs. H. S. Dhande, AGP for the respondent Nos.1 & 2.

Writ Petition No.3703/2026.

Mr. Jugalkishor Gilda, Senior Counsel assisted by Mr. Anup Gilda,
Counsel for the petitioner.

Mr. H. D. Futane, AGP for the respondent Nos.1 & 2.

Mr. P. R. Agrawal, Advocate for the respondent No.4.

Mr. Premchandra Dahake, Advocate for the Intervenor.

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

DATED : 06th MAY, 2026

WRIT PETITION NO. 3900 OF 2026

1. Heard.

2. By this petition, the petitioner is challenging the impugned order/communication dated 23.04.2026, issued by respondent No.2 – Education Officer (Secondary), Zilla Parishad, Washim.

3. It is contention of the petitioner that being senior-most lady teacher, the financial and administrative powers of the headmaster of Rashtramata Indira Gandhi Kanya Vidyalaya, Manora has given to the petitioner from 01.09.2024 to 28.02.2025 and continued thereafter by various orders. The last order is passed on 17.03.2026, whereby the said powers has been given to the petitioner from 01.03.2026 to 30.06.2026. Surprisingly, the Education Officer, vide it's Communication dated 23.04.2026, before the term of the petitioner had expired, withdrawn the financial and administrative power given to the petitioner and directed to hand over the charge of headmaster to one Manoj Rathod. There was no opportunity of hearing granted by the Education Officer before passing the impugned order.

4. As such, the impugned communication dated 23.04.2026 is in violation of principles of natural justice and is liable to be quashed and set aside.

5. We have also perused the order passed in **Writ Petition No.2727/2025 (Manoj s/o. Prakash Rathod & Ors. vs. State of Maharashtra & Ors.)**, dated 10.04.2026, which has nothing to do with the present petition as the Education Officer without granting opportunity of hearing, passed the impugned communication. The said communication is liable to be quashed and set aside.

6. The learned Counsel for the petitioner has drawn our attention to the Communication dated 29.07.2025, issued by Upper Secretary, Maharashtra State, by which the Education Officer (Secondary), Zilla Parishad, Washim was directed to consider the claim of the petitioner for the post of Headmistress if she is otherwise eligible, considering her seniority. Otherwise also as per Rules in girls school, seniormost lady teacher required to be appointed as Headmistress. Accordingly, we proceed to pass the following order :

- (i) The Writ Petition is partly allowed.
- (ii) The impugned communication dated 23.04.2026 is hereby quashed and set aside. In consequence, the petitioner shall exercise the financial and administrative power as granted by the Education Officer vide its communication dated 17.03.2026, till decision is taken by the respondent No.2.
- (iii) The respondent No.2 is directed to grant opportunity of hearing to the petitioner before taking any decision for withdrawal of the financial and administrative powers given to the petitioner and same be done within a period of four weeks.
- (iv) The respondent No.2 is also directed to take a decision as per direction issued by the Upper Secretary, Maharashtra State and consider the claim

of the petitioner for appointment as Headmistress to girls school. At any rate, prima facie we are satisfied that being a girl school, only senior lady teacher can be appointed as Headmistress. The Education Officer to consider the same while taking decision regarding appointment of Headmistress.

WRIT PETITION NO. 3703 OF 2026

1. In view of order passed by this Court in Writ Petition No.3900/2026, this petition does not survive, hence it is disposed of.

(NANDESH S. DESHPANDE, J.)

(M.S. JAWALKAR, J.)