



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

WRIT PETITION NO.4394 OF 2026

Shaikh Aasim Shaikh Farid, Gawalipura, Buldhana, Tq. & Dist. Buldhana

vs.

The State of Maharashtra, Thr. Secretary, Dept. of School Education and Sports, Mantralaya,
Mumbai and ors.

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

Court's or Judge's orders

Shri S. N. Chikhle, Advocate for petitioner.

Shri S. S. Hulke, Assistant Government Pleader for respondent Nos.

CORAM : RAJ D. WAKODE, J.

DATED : 27th May, 2026

Heard Shri S. N. Chikhle, learned counsel for the petitioner.

2. The petitioner seeks challenge to the impugned order dated 14/05/2026 passed by respondent No.4-Sub Divisional Officer/Returning Officer, Buldhana thereby directing the petitioner to join the Booth Level Officer (BLO) duty. The aforesaid order is at record page 37, Annexure-6.

3. Contention is that on earlier occasion i.e. on 11/11/2025, the respondent No.4 had appointed the petitioner as a BLO for election duty at Electoral Ward No.164. However, the petitioner who is suffering from severe chronic Asthma and associated respiratory ailments making it impossible for the petitioner to execute field tasks, and large distance travel, submitted representation to the respondent No.4 seeking exemption on medical ground. The respondent No.4 considering the medial condition of the petitioner and acknowledging the gravity of the petitioner's ailment, accepted the representation and has issued order dated 06/06/2025 and deputed another teacher.

4. Shri Chikhle, learned counsel submits that having once acknowledging and exempting the petitioner on medical ground,

respondent No.4 was not at all justified in issuing the impugned order dated 14/05/2026 directing the petitioner to resume the same duty as BLO which is under challenge before this Court.

5. It is submitted that the petitioner has already approached the respondent No.4-SDO-Returning Officer, Buldhana by making detailed representation on 18/05/2026 pointing out the medical condition of the petitioner. The aforesaid representation is at record page 38, Annexure-VII.

6. In view of the above, issue notice to the respondents, returnable on 02/06/2026.

7. Shri S. S. Hulke, learned Assistant Government Pleader waives service of notice on behalf of respondent Nos.1, 3 and 4.

8. In addition to usual mode, the petitioner is permitted to serve the remaining respondents by all private mode of service permissible in law.

9. In the meanwhile, respondent No.4-Sub-Divisional Officer/Returning Officer, Buldhana is directed to consider the representation of the petitioner dated 18/05/2026 and decide the same before the returnable date.

10. The respondents, more specifically respondent No.4 is directed not to take any coercive steps against the petitioner for not joining the BLO duty as directed in the impugned communication dated 14/05/2026.

(Raj D. Wakode, J.)