

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 1690 OF 2023

Ashok Baban Kolte ... Petitioner.

V/s.

The State of Maharashtra and Others ... Respondents.

**WITH
WRIT PETITION NO.1691 OF 2023**

Ajit Bansilal Barve ... Petitioner.

V/s.

The State of Maharashtra and Others ... Respondents.

**WITH
WRIT PETITION NO.1692 OF 2023**

Amol Bhimrao Janrao ... Petitioner.

V/s.

The State of Maharashtra and Others ... Respondents.

Mr. Suresh Pakale, Senior Advocate a/w. Mr. Nilesh Desai i/b. Padmaja Malgaonkar for the Petitioners in all Petitions.

Mr. Milind Deshmukh for the Respondent No. 5 in all Writ Petitions.

Mr. S.B. Kalel, AGP for Respondents – State in all Writ Petitions.

**CORAM : NITIN JAMDAR &
M. M. SATHAYE, JJ.**

DATED : 4 SEPTEMBER 2024

P.C.:

1. We had called upon the State to file additional affidavit to point

out whether there was any case of fraud, collusion or misrepresentation which had led to passing of the impugned order by the Deputy Director of Education

2. The collusion if at all, would be between the Respondent-Management and the Education Officer. Therefore, it was expected that the reply was to be filed by the Deputy Director of Education. Instead, it is the Deputy Education Inspector has filed the reply and has avoided to mention anything about collusion between the Respondent – Management and the concerned Education Officer. The affidavit should be by the Deputy Director of Education, who is further directed to explain whether any departmental action is initiated or pending against the concerned Education Officer, if it is the case of collusion.

3. Let the affidavit be filed by the Deputy Director of Education by 18 September 2024.

4. Stand over to **20 September 2024**.

(M. M. SATHAYE, J.)

(NITIN JAMDAR, J.)