

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

WRIT PETITION NO. 1690 OF 2023

Ashok Baban Kolte. ... Petitioner.
Versus
State of Maharashtra & Ors. ... Respondents.

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

Ajit Bansilal Barve. ... Petitioner.
Versus
State of Maharashtra & Ors. ... Respondents.

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

Amol Bhimrao Janrao. ... Petitioner.
Versus
State of Maharashtra & Ors. ... Respondents.

Mr. Suresh Pakale, Senior Advocate a/w. Mr. Nilesh Desai, Ms. Netra Tembe, for the Petitioner.

Mr. K.S. Thorat, 'B' Panel Advocate, for Respondent Nos. 1 to 4./State.

Mr. Milind Deshmukh, for Respondent No. 5.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 10th DECEMBER, 2024

P.C. :

1. We have considered the submissions of the learned Advocates

for the respective sides. Save and except, a bald statement that there are irregularities and illegalities committed in the appointment of these Petitioners, we hardly find any material before us, which could substantiate the stand taken by the Deputy Director Education. Moreover, a report has been submitted by Shri Rajesh Kshirsagar, Deputy Director Education-cum-Authorised Officer Education, office of the Divisional Education, Pune that there are no irregularities and the appointments of these Petitioners appear to be in order. However, he further concludes that the provisions of the MEPS Act, 1977 and MEPS Rules, 1981 have not been strictly followed.

2. The issue before us is as to whether these Petitioners who have been working for more than 12 years, can be disturbed or dislodged on account of some irregularities that might have been committed by the Management. If that be so, since the Management is whole and sole in-charge of carrying out recruitment process, the issue would turn upon the Management. However, no affidavit in reply has yet been filed by the Management i.e. Rayat Shikshan Sanstha.

3. In view of the above, we grant time to the Management to file a common affidavit in reply in the first Petition and explain as to

whether there were any irregularities and if at all some irregularities are noticed, whether we should attribute the same to the conduct of the Management. Let the reply be filed on or before 10th January, 2025.

4. List this Petition on **22nd January, 2025**, to be called out after the fresh admissions board is over.

5. Interim protection granted to these Petitioners would continue until disposal of these Petitions, which we intend to do on the next date. Unpaid salaries of these Petitioners from the dates of the impugned orders, shall be paid to the Petitioners prior to the next date in the matter and the regular salary would also be paid.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)

ARUNA
SANDEEP
TALWALKAR

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