



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2080 OF 2025

Mudita Vijay Bhatkar ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

Mr. Avinash Fatangare i/by Ms. Archana Shelar, Advocate for the
Petitioner.

Mr. V.M. Mali, AGP for Respondent Nos.1, 2, 3 & 5/State.

CORAM : RAVINDRA V. GHUGE
&
ASHWIN D. BHOBE, JJ.

DATE : 17th FEBRUARY, 2025

P.C. :-

1. The Petitioner is from the non-teaching category and has been declared surplus by the order dated 28th December, 2024, on the ground that the Right of Children to Free and Compulsory Education Act, 2009, does not prescribe a staffing pattern for non-teaching Employees and there are no posts. Reliance is placed on the Judgment delivered by the Hon'ble Supreme Court in *Environmental and Consumer Protection Foundation V/s Delhi Administration and Others, (2012) 10 SCC 197.*



2. **Issue notice** to the Respondents, returnable on **24th March, 2025**. The learned AGP waives service of notice on behalf of Respondent Nos. 1, 2, 3 & 5.

3. Let the affidavit in reply be filed, at least ten days, prior to the returnable date.

4. All office objections to be removed on or before 6th March, 2025, failing which, the Petition would stand dismissed without reference to the Court, on 7th March, 2025.

5. In the event, the Petitioner receives an order of absorption, liberty to circulate this matter.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)