

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

WRIT PETITION NO.3960 OF 2026

Machchhindra Bhimaji NaikPetitioner

Versus

The State of Maharashtra & Ors.Respondents

Mr. Vedant Babar i/b. Mr. Rahul Kadam for the Petitioner.
Ms. D.S. Deshmukh, AGP for Respondent Nos.1 to 3.

**CORAM : RAVINDRA V. GHUGE
&
HITEN S. VENEGAVKAR, JJ.**

DATE : 18th APRIL, 2026

P.C. :-

1. The Petitioner claims to be the senior-most non-teaching employee in the organization and is working as Head Clerk. After being appointed as a Junior Clerk on 25th September, 1997, he became a Senior Clerk on 1st July, 2009. He was promoted from the post of Senior Clerk to the post of Head Clerk, vide order dated 20th October, 2015. He has been declared as surplus by the Management, and during the pendency of this Petition, the Education Officer (Secondary), Dr. Bhausheb Karekar, has issued an order dated 7th April, 2026 declaring him as surplus, recording that he is the Head Clerk (मुख्य लिपिक).

2. Leave to place the order dated 7th April, 2026 on record and to amend the prayer by adding a prayer clause assailing the said order. Amendment be carried out within two weeks from today. Re-verification is dispensed with.

3. Until further orders, the Petitioner's name shall not be struck off the rolls of Respondent Nos.4 and 5 School.

4. The learned Advocate for the Petitioner submits that, by the said order dated 7th April, 2026, the Petitioner has been directed to report to a new school, namely, Mahatma Gandhi Vidyalaya, Manchar, Taluka Ambegaon, District Pune.

5. **Issue notice to the Respondents**, returnable on 24th June, 2026. The learned AGP waives service of notice on behalf of Respondent Nos.1 to 3.

6. Let the affidavit in reply be filed, at least, one week prior to the returnable date.

7. Office objections, if any, to be removed, on or before 4th May, 2026, failing which, the Registry shall dismiss this Petition without reference to the Court, on 5th May, 2026.

(HITEN S. VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)