

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

WRIT PETITION NO. 4531 OF 2025

Pradnya Prasad Joshi

....Petitioner

Versus

The State of Maharashtra & Ors.

....Respondents

**WITH
INTERIM APPLICATION NO. 9486 OF 2025
IN**

WRIT PETITION NO.4531 OF 2025

**WITH
WRIT PETITION NO. 4544 OF 2025**

**WITH
WRIT PETITION NO. 4533 OF 2025**

**WITH
WRIT PETITION NO. 4532 OF 2025**

**WITH
WRIT PETITION NO. 4539 OF 2025**

**WITH
INTERIM APPLICATION NO. 7406 OF 2025
IN**

**WRIT PETITION NO. 4539 OF 2025
WITH**

**WRIT PETITION NO. 4537 OF 2025
WITH**

**WRIT PETITION NO. 4534 OF 2025
WITH**

**WRIT PETITION NO. 4535 OF 2025
WITH**

WRIT PETITION NO. 4538 OF 2025
WITH
WRIT PETITION NO. 4536 OF 2025
WITH
WRIT PETITION NO. 4564 OF 2025
WITH
WRIT PETITION NO. 4566 OF 2025
WITH
WRIT PETITION NO. 4569 OF 2025
WITH
WRIT PETITION NO. 4567 OF 2025
WITH
WRIT PETITION NO. 4570 OF 2025
WITH
WRIT PETITION NO. 4572 OF 2025
WITH
WRIT PETITION NO. 4904 OF 2025

Mr. Suresh Pakale, Senior Advocate a/w. Mr. Nilesh Desai, for Petitioners.

Mr. Aniruddha A. Garge i/b. Mr. Kashyap Bhalerao, Advocate for the Petitioners in WP/4564/2025, WP/4566/2025, WP/4567/2025, WP/4569/2025, WP/4570/2025 and WP/4572/2025.

Advocate Neel Helekar a/w Mr. Manish Kelkar a/w Mr. Akhilesh Adhav, Advocate for the Petitioners in WP No. 5232 of 2025/

Mr. B. V. Samant, Addl. GP a/w Ms. P. M. Joshi Deshpande, AGP for the Respondent-State in WP No. 4531 of 2025.

Mr. B. V. Samant, Addl. GP a/w Ms. P. M. Joshi Deshpande, AGP for the Respondent-State in WP No. 4564 of 2025.

Mr. B. V. Samant, Addl. GP a/w Mr. Karan S. Thorat, AGP for the Respondent-State in IA No. 9486 of 2025.

Mr. B. V. Samant, Addl. GP a/w Mr. Karan S. Thorat, AGP for the Respondent-State in WP No. 4544 of 2025.

Mr. B. V. Samant, Addl. GP a/w Ms. P. N. Diwan, AGP for the Respondent-State in WP No. 4533 of 2025.

Mr. B. V. Samant, Addl. GP a/w Ms. D. S. Deshmukh, AGP for the Respondent-State in WP No. 4532 of 2025.

Mr. B. V. Samant, Addl. GP a/w Mr. A. C. Bhadang, AGP for the Respondent-State in WP No. 4539 of 2025.

Mr. B. V. Samant, Addl. GP a/w Mr. M. M. Pabale, AGP for the Respondent-State in IA No. 7406 of 2025.

Mr. B. V. Samant, Addl. GP a/w Mr. M. M. Pabale, AGP for the Respondent-State in WP No. 4537 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Mr. V. G. Badgujar, AGP for the Respondent-State in WP No. 4534 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Ms. Priyanka B. Chavan, AGP for the Respondent-State in WP No. 4535 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Mr. S. P. Kamble, AGP for the Respondent-State in WP No. 4538 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Ms. G. R. Raghuwanshi, AGP for the Respondent-State in WP No. 4536 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Mr. A. K. Naik, AGP for the Respondent-State in WP No. 4566 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Ms. N. M. Mehra, AGP for the Respondent-State in WP No. 4569 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Ms. N. M. Mehra, AGP for the Respondent-State in WP No. 4567 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Mr. S. H. Kankal, AGP for the Respondent-State in WP No. 4570 of 2025.

Mr. P. P. Kakade, Addl. GP a/w Ms. T. N. Bhatia, AGP for the

Respondent-State in WP No. 4572 of 2025

Mr. P. P. Kakade, Addl. GP a/w Ms. Pooja Patil, AGP for the Respondent-State in WP No. 4904 of 2025.

**CORAM : RAVINDRA V. GHUGE &
HITEN S. VENEGAVKAR, JJ.
DATE : 04th MAY, 2026**

P.C. :-

1. The learned Senior Advocate, along with the learned Advocates for the Petitioners, submits that the issue involved in the present case is clearly covered by the Judgments in *Mrs. Shivane* *Prasanna Deshpande vs. State of Maharashtra and Others*¹ in Writ Petition No. 10133 of 2016, decided by order dated 01.08.2017, *Hemant Baliram Deore and Ors. vs. The State of Maharashtra and Ors.*² in Writ Petition No. 3839 of 2026, decided by order dated 27.03.2026 and *Hemant Madhukar Gunjal vs. The State of Maharashtra and Ors.*³ in Writ Petition No. 12809 of 2025, decided by order dated 15.04.2026.

2. The learned Additional Government Pleader submits

1 Order dated 01.08.2017 in WP No. 10133 of 2016

2 Order dated 27.03.2026 in WP No. 3839 of 2026

3 Order dated 15.04.2026 in WP No. 12809 of 2025

that the State Government has appointed Special Counsel, Mr. S. S. Patvardhan, who would address the Court on the next date. He, therefore, prays that, since the State Government has appointed counsel, the matter may kindly be adjourned to enable the Special Counsel to address the Court.

3. List these Petitions on **16th June, 2026 at 3:00 pm**. All the parties shall tender their recordable short written notes of submissions and case law with index.

4. We are informed that all the teachers before us who have been granted approvals, are receiving salaries as per the prescribed scales through salary grants. There are a few Petitioners before us who are yet to receive their approvals, due to fortuitous circumstances. They pray for salary at par.

5. The Full Bench of this Court, in ***St. Ulai High School vs. Devendraprasad Jagannath Singh*** [2007 (1) Mh.L.J. 597], has held that lack of approval cannot be a ground for termination of the services of an Employee. The Employer is required to continue the services of such Employee until the approval is granted. It is also

well-settled law that, if teachers are yet to receive approvals, but have been duly selected and appointed by the Management, salary at par with other approved teachers, is required to be paid by the Management.

6. We, therefore, direct that the Management before us shall pay salary in the prescribed scales, to those teachers who do not have approvals, at par with those who have been granted approvals, until further orders, with the rider that, in the event these Petitioners are ultimately granted approval, the salaries paid by the Management to such Petitioners shall be reimbursed to the Management through salary grants, by the State Government.

(HITEN S. VENEGAVKAR, J.) (RAVINDRA V. GHUGE, J.)