

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

(SR. NO.914) WRIT PETITION NO. 4531 OF 2025

Pradnya Prasad Joshi

... Petitioner

versus

The State of Maharashtra & Ors.

...Respondents

**WITH
INTERIM APPLICATION (ST.) NO. 14570 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.4539 OF 2025

WITH

WRIT PETITION NO. 4532 OF 2025

WITH

WRIT PETITION NO.4539 OF 2025

WITH

INTERIM APPLICATION NO.7406 OF 2025,4567

IN

WRIT PETITION NO.4539 OF 2025,4567

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.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
 WITH
 (SR. NO.915) WRIT PETITION NO.5232 OF 2025
 WITH
 (SR. NO.916) WRIT PETITION NO.5235 OF 2025
 WITH
 (SR. No.917) WRIT PETITION NO.5236 OF 2025
 WITH
 (SR. No.918) WRIT PETITION NO.5238 OF 2025
 WITH
 (SR. NO.919) WRIT PETITION NO.5240 OF 2025
 WITH
 (SR. NO.920) WRIT PETITION NO.5241 OF 2025

Mr.Suresh S.Pakale, Senior Advocate a/w. Mr.Nilesh Desai i/b.Ms.Padmaja Malgaonkar for the Petitioners in Writ Petition Nos.4531 of 2025, 4532 of 2025, 4533 of 2025, 4534 of 2025, 4535 of 2025, 4536 of 2025, 4537 of 2025, 4538 of 2025, 4539 of 2025 ,4544 of 2025 and 4904 of 2025.

Dr.Birendra B. Saraf, Advocate General along with Mr.B.V.Samant, Addl. GP, Mr.P.P.Kakade, Addl.GP, Mrs.P.M.Joshi Deshpande, AGP, Mr.V.M.Mali, AGP, Mr.S.P.Kamble, AGP, Mr.A.K.Naik, AGP, Ms.P.N.Diwan, AGP, Mrs.D.S.Deshmukh, AGP, .Mr.K.S.Thorat, 'B' Panel Counsel, Mr.V.G.Badgujar, AGP, Ms. N.M.Mehra, AGP, Mr.A.C.Bhadang, AGP, Mr.S.B. Kalel, AGP, Ms.Priyanka Chavan, AGP for the Respondent -State in concerned Writ Petitions.

Mr.Ram Apte, Senior Advocate with Mr.Neel Helekar for the Petitioners in WP No. 5232 of 2025 and for the Respondent – Maharashtra Education Society in all Petitions.

Mr.A.A.Garge i/b. Mr.Kashyap Bhalerao and Ms.Manali Garge for the Petitioners in Writ Petition Nos. 4564 of 2025, 4566 of 2025, 4567 of 2025, 4569 of 2025, 4570 of 2025, 4572 of 2025, 5235 of 2025, 5236 of 2025, 5238 of 2025, 5240 of 2025 and 5241 of 2025.

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

DATE : 24th APRIL, 2025

P.C. :-

1. Pursuant to the order of this Court dated 23rd April, 2025, the learned Senior Advocate Mr. Apte along with the learned Advocate Mr. Helekar, have tendered an original affidavit (two pages) dated 23rd April, 2025 sworn and verified by Mr. Babasaheb Ankush Shinde, Chairman of the Society, who is the Petitioner in Writ Petition No.5232 of 2024.

2. In paragraph Nos. 1, 2 and 3, the affiant has stated as under:

“1. I say that the present Writ Petition is filed by the Petitioners to challenge the impugned order dated 26.03.2025 passed by the Divisional Chairman of the Maharashtra State Board & Secondary & Higher Secondary Education, Pune Division, Pune (Respondent No. 2 herein).

2. I respectfully say and submit that during the pendency of the present Writ Petition as an interim arrangement the State Government will pay the salary of the concerned 17 teachers till June 2025. I further say and submit that after hearing, if this Honourable High Court comes to the conclusion that the impugned order dated 26.03.2025 is sustainable, the Petitioner Management is giving unconditional

undertaking that the Management will reimburse the amount of salary of the concerned teachers paid to them to the State Government from the Month of April 2025 till June 2025.

3. I say that the said reimbursement is without prejudice to the rights and contentions of the Petitioners in the aforesaid proceedings.”

3. The original affidavit is taken on record and marked as “X-1” for identification.

4. In view of the above, as an interim arrangement, the State Government would continue to pay the salaries of the 17 teachers at issue, in this group of Petitions. To begin with, such payment shall be made for the months of April, May, and June, 2025.

5. Needless to state, in the event the Impugned order dated 26th March, 2025 is sustained by this Court, the Management would be liable to reimburse the salary to the State Government for the period for which this Court has directed such payment. Insofar as the recovery from the Management, for the earlier period, if any, the said issue and all contentions of all the parties, are left open.

6. We would appreciate if the Petitioners and the State prepare this synoptical notes to summarize their oral submissions along with compilation of case law, which would assist in curtailing the oral submissions and for time management.

7. We accept the request of the learned Advocate General and permit the State Government to file an additional affidavit-in-reply along with the documents, on request, up to 15th May, 2025. Registry to accept the affidavit along with the documents with proper pagination in continuation, in vacation. So also, the individual Petitioners (employees) would file a common rejoinder with pagination in continuation, on or before 30th May, 2025. Registry to accept such filing even in vacation.

8. Insofar as the request of the learned Senior Advocate Mr. Apte, that the Management desires to file a separate compilation of documents, which were actually tendered to the Officer who passed the Impugned order, office to accept the said compilation with index and pagination, even in vacation.

9. Affidavit in reply of the State in Writ Petition No.4531

of 2025 and Writ Petition No.4564 of 2025, be accepted by the Registry.

10. The learned Senior Advocates as well as the learned Advocate General and the learned Advocate for the appearing parties, jointly request that since this matter has been extensively heard and due to paucity of time is not decided before the vacation, that these proceedings be treated as part-heard.

11. By consent of the parties, we are listing these matters for a hearing on **25th June, 2025** at 2.30 p.m., as part-heard.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)