

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 18458 OF 2024

Hamid Sattar Shaikh

...Petitioner

Versus

Principal Satish Pradhan Dnyansadhna College &
Ors

...Respondents

Mr. W. Mohammad Fuzail Aki, for the Petitioner.

None for Respondents.

Mr. V. G. Bodgujar , AGP for Respondent-State..

CORAM : SOMASEKHAR SUNDARESAN, J.

DATE : February 3, 2026

ORDER :

1. Heard the Petitioner at length. It is seen that the entire matter hinges on making the Maharashtra Civil Services (Conduct) Rules, 1979 (“**Conduct Rules**”) applicable to the non-teaching staff of a private educational institution, who are not government employees.

2. Therefore, while the Conduct Rules may have been made applicable, *prima facie*, they would need to apply *mutatis mutandis*, and not to the extent that even a private individual employed in a private institution is totally stymied from holding *and expressing* any political view or affection. It is another matter if the private institution desires to introduce its own code of conduct, but the question is about how the

Conduct Rules should apply to such private citizens employed with private educational institutions.

3. Such prohibitions on government servants is totally understandable, but whether it applies to private individuals employed in a private educational institution merely because the Conduct Rules are by extension made applicable to them is the issue to be considered.

4. It would be necessary to consider the Government Resolution by which the Conduct Rules are *said to have been made* applicable to employees such as the Petitioner.

5. Likewise, it would be important to examine whether the aforesaid issue has already been dealt with in any judgement. To enable the parties to examine the same and report back to the Court, stand over to ***February 10, 2026***.

6. Learned AGP who is present in Court, upon a request by the Bench, has also agreed to assist with the law on the subject.

7. All actions required to be taken pursuant to this order shall be taken upon receipt of a downloaded copy as available on this Court's website.

[SOMASEKHAR SUNDARESAN, J.]