

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

(906) WRIT PETITION NO. 6112 OF 2026

Hitesh S/o. Laxman Kasar ... Petitioner

versus

The State of Maharashtra & Ors. ... Respondents

AND

(913) WRIT PETITION NO. 5622 OF 2026

AND

(914) WRIT PETITION NO. 5967 OF 2026

AND

(915) WRIT PETITION NO. 6069 OF 2026

AND

(916) WRIT PETITION NO. 6103 OF 2026

AND

(919) WRIT PETITION NO. 6392 OF 2026

AND

(920) WRIT PETITION (ST.) NO. 7571 OF 2026

AND

(924) WRIT PETITION NO. 5487 OF 2026

WITH

WRIT PETITION NO. 2675 OF 2026

WITH

INTERIM APPLICATION NO. 2018 OF 2026

IN

WRIT PETITION NO. 13342 OF 2025

WITH

WRIT PETITION NO. 3653 OF 2026

WITH

WRIT PETITION NO. 3662 OF 2026

WITH

WRIT PETITION NO. 3650 OF 2026

WITH

WRIT PETITION NO.3658 OF 2026

WITH

WRIT PETITION NO. 3655 OF 2026

WITH

WRIT PETITION NO. 3646 OF 2026

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WRIT PETITION NO. 3656 OF 2026
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WRIT PETITION NO. 3652 OF 2026
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WRIT PETITION NO. 3657 OF 2026
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WRIT PETITION NO. 3659 OF 2026
WITH
WRIT PETITION NO. 3660 OF 2026
WITH
INTERIM APPLICATION (ST.) NO. 11516 OF 2026
IN
WRIT PETITION NO. 3660 OF 2026
WITH
WRIT PETITION NO. 3661 OF 2026
WITH
WRIT PETITION NO. 4208 OF 2026
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WRIT PETITION NO. 4191 OF 2026
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WRIT PETITION NO. 4186 OF 2026
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INTERIM APPLICATION (ST.) NO. 11882 OF 2026
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WRIT PETITION NO. 4552 OF 2026
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WRIT PETITION NO. 4551 OF 2026
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INTERIM APPLICATION (ST.) NO. 11899 OF 2026
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WRIT PETITION NO. 4553 OF 2026
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INTERIM APPLICATION (ST.) NO. 11898 OF 2026
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WRIT PETITION (ST.) NO. 11456 OF 2026
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WRIT PETITION NO. 13341 OF 2025
WITH
INTERIM APPLICATION (ST.) NO. 9999 OF 2026
IN
WRIT PETITION NO. 13341 OF 2025
WITH
CONTEMPT PETITION NO. 144 OF 2026
IN
WRIT PETITION NO. 13341 OF 2025
WITH
WRIT PETITION NO. 13342 OF 2025
WITH
CONTEMPT PETITION NO. 722 OF 2025
IN
WRIT PETITION NO. 13342 OF 2025
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INTERIM APPLICATION NO. 2018 OF 2026
IN
WRIT PETITION NO. 13342 OF 2025
WITH
CONTEMPT PETITION NO. 722 OF 2025
IN
WRIT PETITION NO. 13342 OF 2025
WITH
CONTEMPT PETITION NO. 144 OF 2026
IN
WRIT PETITION NO. 13341 OF 2025
WITH
WRIT PETITION NO. 16238 OF 2025
WITH
WRIT PETITION NO. 15784 OF 2025
AND
(501) WRIT PETITION NO. 6175 OF 2026
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(502) WRIT PETITION NO. 6176 OF 2026
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(503) WRIT PETITION NO. 6211 OF 2026
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(533) WRIT PETITION NO. 6449 OF 2026
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(534) WRIT PETITION NO. 6450 OF 2026
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(535) WRIT PETITION NO. 6451 OF 2026
AND
(536) INTERIM APPLICATION (ST.) NO. 9833 OF 2026
IN
WRIT PETITION NO. 2244 OF 2026

...

Mr. Shrirang Katneshwarkar a/w Mr. Sandeep Gupta for the Petitioners in Sr. No. 919.

Mr. Shrirang Katneshwarkar a/w Mr. Sandeep Gupta i/b. Mr. Vilas S. Panpatte for the Petitioners in Serial Nos. 906, 913 to 916.

Mr. Shrirang Katneshwarkar a/w. Mr. Sandeep Gupta i/b. Mr. Paresh Borse Patil for the Petitioners in Serial No. 919.

Mr. Sanjeev Gorwadkar (Senior Advocate) a/w Mr. Akshay S. Karlekar i/b. Mr. Sanket Sonawane i/b. Advocate P. D. Bachate for the Petitioners in Serial No. 920.

Mrs. M. M. Deshmukh, I/c. PP for the State in Serial No. 920.

Ms. Ashwini V. Kamble (PSI), Vashi Police Station in Serial No. 920 is present.

Mr. Sujeet Karlekar a/w Mr. Akshay S. Karlekar a/w Mr. Sanket Sonawane i/b. Mr. P. D. Bachate, for the Petitioners in Serial Nos. 501 to 536.

Mr. Sanjeev B. Deshpande, Senior Advocate (through VC) i/b. Mr. Chetan B. Chaudhari, for the Applicant in IA (St) No. 11899/2026, 11516 of 2026, IA (St) No. 11882 of 2026 and IA (St) No. 11898 of 2026 in Serial No. 918.

Mr. Sujeet G. Karlekar a/w Mr. Akshay S. Karlekar a/w Mr. Sanket Sonawane i/b. Mr. P. D. Bachate, for the Petitioners in Serial No. 924 in remaining Petitions.

Mr. Shrirang Katneshwarkar with Mr. Sandeep Gupta i/b. Mr. Vilas Panpatte for the Petitioners in Serial Nos. 924 bearing WP Nos. 5487 of 2026, 4208 of 2026, 4191 of 2026, 4186 of 2026 and 4708 of 2026.

Mr. Shrirang Katneshwarkar with Mr. Sandeep Gupta i/b. Mr. Jitendra Patil for the Petitioners in Serial Nos. 924 bearing WP Nos. 5040 of 2026, 5057 of 2026 and 5055 of 2026.

Mr.PP. Kakade, Addl. GP with Mrs.Nisha Mehra, AGP for the Respondent - State in Serial No. 906.

Mr.B.V.Samant, Addl.GP with Ms.Priyanka Chavan, AGP for the Respondent -State in Serial No. 913.

Mr. PPKakade, Addl.GP with Mrs.PN.Diwan, AGP for the Respondent - State in Serial No. 914.

Mr.M.M.Pabale, AGP for the Respondent-State in Serial No. 915.

Mr.PP. Kakade, Addl.GP with Mr.V.G. Badgujar, AGP for the Respondent-State in Serial No. 916.

Mr.B.V.Samant,Addl. GP with Mrs.PM.J.Gavhane, AGP for the Respondent-State in Serial No. 919.

Mr.PPKakade, Addl.GP with Mrs.D.S.Deshmukh, AGP for the Respondent - State in Serial No. 920.

Mr.PPKakade, Addl.GP with Mr.V.G.Badgujar, AGP for the Respondent-State in WP Nos. 5487 of 2026, 2675 of 2026, 3653 of 2026, 3662 of 2026, 4554 of 2026 and CP Nos. 144 of 2026 and 722 of 2025.

Mr. PPKakade, Addl.GP with Mrs. N.M.Mehra, AGP for the Respondent - State in WP Nos. 3650 of 2026, 3658 of 2026, 3655 of 2026, 3646 of 2026, 3656 of 2026, 4662 of 2026, 4708 of 2026, 5040 of 2026, 5057 of 2026, 5055 of 2026, (St) No. 11456 of 2026 and 13341 of 2025.

Mr.PPKakade, Addl.GP with Mr.A.R.Deolekar, AGP for the Respondent - State in WP Nos. 3654 of 2026, 3652 of 2026, 3651 of 2026, 3657 of 2026, 3659 of 2026 and 3660 of 2026.

Mr. PPKakade, Addl.GP with Mrs.PN.Diwan, AGP for the Respondent - State in IA (St) No. 11516 of 2026, WP Nos. 3661 of 2026, 4208 of 2026, 4191 of 2026, 4186 of 2026, 4552 of 2026, 4551 of 2026, 4553 of 2026 and 4476 of 2026.

Mr.PPKakade, Addl.GP with Mrs.PM.J.Deshpande, AGP for the Respondent -State in WP Nos. 4349 of 2026, 4353 of 2026 and 4376 of 2026.

Mr. P.P.Kakade, Addl.GP with Mrs.D.S.Deshmukh, AGP for the Respondent -State in WP Nos. 4341 of 2026, 4363 of 2026, 4365 of 2026, 4361 of 2026 and 4334 of 2026.

Mr.P.P.Kakade, Addl.GP with Ms.Priyanka Chavan, AGP for the Respondent-State in WP Nos. 4348 of 2026, 4412 of 2026, 4358 of 2026, 4346 of 2026, 4309 of 2026, 4356 of 2026, 4375 of 2026, 4411 of 2026, 4381 of 2026, 4305 of 2026, 4384 of 2026, 4380 of 2026 and 4410 of 2026.

Mr.P.P.Kakade, Addl.GP with Mr.M.M.Pabale, AGP for the Respondent - State in WP Nos. 4324 of 2026, 4377 of 2026, 4360 of 2026, 4359 of 2026, 4379 of 2026, 4378 of 2026, 4323 of 2026 and 4312 of 2026.

Mr.P.P.Kakade, Addl.GP with Mr.A.C.Bhadang, AGP for the Respondent-State in WP No. 4331 of 2026.

Mr.P.P.Kakade, Addl.GP for the Respondent -State in WP Nos. 4383 of 2026, 4315 of 2026 and 4306 of 2026.

Mr.O.A.Chandurkar, Addl.GP with Mr.M.M.Pabale, AGP for the Respondent -State in WP Nos. 4314 of 2026, 4311 of 2026 and 4382 of 2026.

Mr.O.A. Chandurkar, Addl.GP with Mr.V.G.Badgujar, AGP for the Respondent -State in WP Nos. 4318 of 2026, 4543 of 2026, 4546 of 2024, 4479 of 2026 and 4550 of 2026.

Mr.O.A.Chandurkar, Addl.GP with Mr.A.R.Deolekar, AGP for the Respondent -State in WP Nos. 4545 of 2026, 4547 of 2026, 4548 of 2026, 4562 of 2026 and 4549 of 2026.

Mr.O.A.Chandurkar, Addl.GP with Mrs.P.N.Diwan, AGP for the Respondent -State in WP No.13342 of 2025.

Mr.O.A.Chandurkar, Addl. GP with Mr. A.K.Naik, AGP for the Respondent - State in IA No. 2018 of 2026, CP No. 144 of 2026, WP Nos. 16238 of 2025 and 15784 of 2025.

Mr.O.A.Chandurkar, Addl. GP for the Respondent -State in Serial No. 501.

Mr. P.P.Kakade, Addl.GP for the Respondent -State in Serial No. 502.

Mrs.PN.Diwan, AGP for the Respondent -State in Serial No. 503.

Mrs.D.S.Deshmukh, AGP for the Respondent -State in Serial No. 504.

Ms.Priyanka Chavan, AGP for the Respondent -State in Serial No. 505.

Mrs.Nisha Mehra, AGP for the Respondent -State in Serial No. 506.

Mr.A.K.Naik, AGP for the Respondent -State in Serial No. 507.

Ms.G.R.Raghuwanshi, AGP for the Respondent -State in Serial No. 508.

Ms.Tanu Bhatia, AGP for the Respondent -State in Serial No. 509.

Mr.M.M.Pabale, AGP for the Respondent -State in Serial No. 510.

Mr.B.V.Samant, Addl.GP for the Respondent -State in Serial No. 511.

Mrs.Pooja Joshi Deshpande, AGP for the Respondent -State in Serial No.512.

Ms.Pooja Patil, AGP for the Respondent -State in Serial No. 513.

Mr.O.A. Chandurkar, Addl.GP for the Respondent -State in Serial No. 514.

Mr.A.R.Deolekar, AGP for the Respondent -State in Serial No. 515.

Mr. S.H. Kankal, AGP for the Respondent -State in Serial No. 516.

Mrs.Pooja Joshi Deshpande, AGP for the Respondent -State in Serial No. 517.

Mrs.R.A.Salunke, AGP for the Respondent -State in Serial No. 518.

Mr.V.G.Badgujar, AGP for the Respondent -State in Serial No. 519.

Mr.N.C.Walimbe,AGP for the Respondent -State in Serial No. 520.

Mrs. P.M.Joshi Deshpande, AGP for the Respondent -State in Serial No. 521.

Mr.PB.Chavhan, AGP for the Respondent -State in Serial No. 522.

Mr. PPKakade, Addl.GP for the Respondent -State in Serial No. 523.

Mr.O.A.Chandurkar, Addl.GP for the Respondent -State in Serial No. 524.

Ms.T.N.Bhatia, AGP for the Respondent -State in Serial No. 525.

Mr.V.G.Badgujar, AGP for the Respondent -State in Serial No. 526.

Mr.PB.Chavan, AGP for the Respondent -State in Serial No. 527.

Mrs.PN.Diwan, AGP for the Respondent -State in Serial No. 528.

Mrs.N.M.Mehra, AGP for the Respondent -State in Serial No. 529.

Mr.B.V.Samant, Addl.GP for the Respondent -State in Serial No. 530.

Mr.O.A.Chandurkar, Addl.GP for the Respondent -State in Serial No. 531.

Ms.T.N.Bhatia, AGP for the Respondent -State in Serial No. 532.

Mr.K.B.Dighe, Addl.GP for the Respondent -State in Serial No. 533.

Mrs. N.M.Mehra, AGP for the Respondent -State in Serial No. 534.

Mr.PB.Chavan, AGP for the Respondent -State in Serial No. 535.

Ms.Pooja Patil, AGP for the Respondent -State in Serial No. 536.

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

DATE : MAY 06, 2026

PC:

1. In all matters listed today for the first time as fresh admission hearing matters, either on the supplementary board or the production board, the Registry shall **issue notice** to the Respondents, returnable on **22.06.2026**.

2. In the earlier ad-interim order passed in several connected matters, we had directed that those employees who are in employment, are working, and whose approvals are intact, and who are covered by the law laid down by this Court in *Mrs. Shivaneesh Prasanna Deshpande Vs. The State of Maharashtra & Ors.*¹ shall be protected and the impugned orders of stoppage of salary shall stand stayed until further orders, and the salary

1 Writ Petition No. 10133 of 2016 dated 1st August, 2016

payments of all such Petitioners/employees, as well as similarly situated employees, who may not have as yet approached the Court for any reason, shall continue until further orders. We had also directed that, if these directions, and the earlier directions by which the payment of salaries had to commence, are not implemented, we would be considering issuance of contempt notices to the officers who are responsible for not obeying the interim orders.

3. We are, therefore, not passing any order under the Contempt of Courts Act, today, only with the hope that wisdom would prevail upon such officers, and that they would obey the interim orders of the Court and would not compel this Court to initiate contempt proceedings on the next date.

4. In Writ Petition No. 3660 of 2026, Interim Application (St.) No. 11516 of 2026 has been filed by Pankaj Deeliprao Salunkhe, a person who claims to be a social worker and an agriculturist, and who has triggered roving inquiries against employees who have settled in employment. He has tendered an affidavit (page nos. 35 to 64) in deference to the order dated 22.04.2026. The same is taken on record.

5. The learned Senior Advocate, Mr. Gorwadkar, along with the learned Advocates for the Petitioners, tendered across the bar a

compilation of six pages pertaining to the reasons in support of the arrest of Mr. Rahul Jaiprakash Pawar, an Assistant Teacher, presently in employment, along with the grounds of arrest, arrest memo, and the information sheet furnished to the nearest relative of Mr. Rahul Jaiprakash Pawar. The same is collectively marked as 'X-1' for identification.

6. A compilation of the orders passed by this Bench from 13.10.2025, in various identical Petitions, until the last order dated 22.04.2026, has been tendered across the bar for ready reference.

7. In view of the submissions of the learned Senior Advocate, Mr. Gorwadkar, and his colleague, learned Advocate Mr. Karlekar, we have once again perused our earlier orders, which are not only extensive, but are also reasoned orders, wherein we have issued the following directions (summary of the directions):

(a) We noticed a sudden surge in strangers lodging complaints against teachers and employees who are settled in employment for decades, in various private as well as Zilla Parishad educational institutions. Some of the said complainants are activists or head some parties. For example, there is one complainant whose organization is known as '*Sujan Nagarik Annyay Va Brashtachar Virodhi*

Janjagruti Va Nirmulan Samiti'. Another organization is titled *All India Panther Sena, Vidrohacha Visphot Karnara Bandkhor, Maharashtra Adhyaksha Vinod Bhole and Rashtriya Adhyaksha Deepak Kedar*'. There are several other such organizations, and we find that there is a mushroom growth of complaints lodged by such organizations or individuals, one of them being Pankaj Deeliprao Salunkhe.

(b) The State Government has constituted a Special Investigation Team (SIT) to investigate all appointments of teaching and non-teaching staff in all the districts in the State of Maharashtra.

(c) We have noticed that a Commissioner of Education has been appointed by the State Government, and Mr. Sachindra Pratap Singh has been appointed as the Commissioner of Education.

(d) Since we have noticed that the SIT, led by the Divisional Commissioner under the guidance of the Commissioner of Education, appears to be indulging in roving inquiries and, to put it simply, is travelling in all

directions in the nature of lodging FIRs against teaching staff, the Deputy Directors of Education, non-teaching staff, managements, etc., and at the same time is carrying out investigation under the aegis of the SIT, we had issued certain directions in our earlier orders.

(e) Since we found that the Commissioner of Education as well as the SIT was appearing to be somewhat directionless in their conducting of inquiries, we have passed several detailed orders giving them guidelines as to how they should conduct the inquiries, collect records, and place such inquiries before the SIT.

(f) What we found is that, after each order that we may have passed in these proceedings, the Commissioner of Education travelled beyond our orders and directed registering of FIRs through certain officers.

(g) Despite our earlier directions, wherein we had clarified to the Commissioner of Education that, those teaching and non-teaching employees who are in employment, whose approvals are intact, and who would be squarely covered by the law laid down by this

Court in *Mrs. Shivaneesh Prasanna Deshpande (supra)*, would continue to earn their salaries for the work performed. Yet, orders have been issued under the guidance of the Commissioner of Education to stop their salaries, to suspend such employees, and without there issuance of any show-cause notice or contemplation of any departmental enquiries. The impugned order of stoppage of salary dated 09.03.2026, has been made applicable in a sweeping manner to 892 employees.

(h) In the last order dated 22.04.2026, we found that the entire exercise of carrying out the investigation, was initially concentrating only on Nashik and then on District Jalgaon, which falls within the jurisdiction of the Education Department at Nashik. Complaints filed by freelancers and strangers are yet entertained. We had observed in paragraphs 10, 11, 12, and 13 of the said order, as under:

'10. We have put it to the learned Additional Government Pleader and the AGPs appearing before us as to whether it would be appropriate to appoint a retired Chief Justice or a Judge of the Bombay High Court, to head a committee to be constituted for considering all such grievances and to

examine the material that may be placed before it. Needless to state, a Special Investigation Team (SIT) may perform the task of collecting and placing such material before the said committee. The Chairperson of the committee could be a retired Chief Justice or Judge of the Bombay High Court. The other members of the committee may include authorities of the rank of Additional Director General of Police, a senior officer not below the rank of ACP from the Intelligence Department, either from the Intelligence Wing or nominated by the Additional Director General (Intelligence) or Director General (Intelligence), as the case may be, a senior officer from the Cyber Cell not below an appropriate senior rank, an educationist, a retired Vice-Chancellor residing in Mumbai and such other persons who may have the requisite expertise and capacity to meaningfully contribute to the task entrusted to the committee.

11. *The learned GP/AGPs submit that the Commissioner of the Education Department of the State of Maharashtra, Mr. Sachindra Pratap Singh, who is participating in these proceedings online from his chamber, would be required to consult the concerned departmental heads and other stakeholders of the State Government. It is only after due deliberation on these suggestions that the State Government would instruct the office of the Government Pleader to make an appropriate statement before this Court on the next date.*

12. *Insofar as Criminal Petitions filed either prior to or subsequent to the registration of FIRs are concerned, in cases where FIRs have been registered, the Petitioners are at liberty to approach the*

learned Single Judge for seeking quashing of the FIR.

13. In the Criminal Petitions before us today, which are filed purely for seeking directions, we expect the State Government to maintain status quo with regard to the proposed lodging of FIRs until 6th May, 2026 in view of the foregoing paragraphs of this order read with the order dated 7th March, 2026. Needless to state that inquiries being conducted at the level of the Commissioner of Education, as well as inquiries by the SIT, or the issuance of notices to any party as part of a fair procedure, shall continue unhindered. However, such notices shall disclose all necessary particulars.'

(i) Our reasoned orders indicate what convinced us to contemplate the appointment of a retired Chief Justice or a retired Judge of the Bombay High Court to head a committee to be constituted for considering such grievances and examining material in order to ascertain, if there exists, a scam of irregularities or illegalities in the appointments of teaching and non-teaching staff. The reproduced paragraphs 10 and 11 would indicate that we were concerned about ensuring that the pure fountain of education is not polluted and that black sheep in the realm of education are identified in order to be dealt with in accordance with service prudence.

8. Pursuant to our orders and our directions even to the Commissioner of Education, Mr. Sachindra Pratap Sinh, especially the order dated 22.04.2026, we find that Exhibit X-1 has been an outcome of such investigation undertaken by a police officer leading to the arrest of a teacher, who is still under investigation. On the one hand, there is a spurt of recording FIRs even at the behest of strangers and freelancers. On the other hand, the SIT is collecting evidence. In this backdrop, the Commissioner of Education is busy issuing directions for registration of FIRs when the SIT is exclusively constituted for this purpose. If the Commissioner himself wants to inquire and investigate as a single member SIT, we have every reason to even doubt the SIT. We had suggested the formation of a High-Power Committee which would be headed by a retired Chief Justice or a retired Judge of the High Court residing in the State of Maharashtra, who may have recently retired, in order to accept such task, which appears to be a challenge today.

9. In view of the above, we find that the Commissioner of Education needs to be restrained. We had expected him to follow a natural course of investigation rather than issuing directions for registration of FIRs, which *ex facie* may not be within the ambit of his jurisdiction. The post of Commissioner of Education was created way back in 2013 vide Government Resolution dated 18.10.2013, in which the job

profile of the Commissioner of Education has been set out, which is mostly administrative and supervisory in character.

10. In view of the above, we direct that the Commissioner of Education shall be restrained from participating in this investigation until further orders. The investigation by the SIT, in collecting evidence and conducting enquiries, would continue. However, the presence of police officers in such enquiries conducted in the office of the Divisional Deputy Director of Education or similar offices, shall be prohibited.

11. Since the learned Addl.GPs seek time to obtain further instructions from the State Government regarding the formation of a High-Power Committee, which would be chaired by a retired Chief Justice or a retired Judge of the High Court, list all these proceedings on **22.06.2026**, to be called out at **3.00 p.m.**

(HITEN S. VENEGAVKAR, J.)

(RAVINDRA V. GHUGE, J.)