



(1)

901 wp 492.24

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

901 WRIT PETITION NO. 492 OF 2024

JAYESHKUMAR GANGADHAR KARDILE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 147 OF 2024

SHRUTI SHRIKANTRAO AURADKAR
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 150 OF 2024

DAYANAND DADARAO PATIL
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 146 OF 2024

JYOTI RAMCHANDER VADJE
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 142 OF 2024

RAMDAS NAMDEV GAIKWAD
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 149 OF 2024

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PRADIP MANOHARRAO PATIL
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 433 OF 2024

BHAGYAVIDHATA JANARDAN SALVE
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 156 OF 2024

RUPESH HANUMANT BHARADE
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2865 OF 2024

KISHOR NAMDEV MAHALE
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2855 OF 2024

SURAJ SUKLAL KHANDEKAR
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2853 OF 2024

BHATU NATTHU GIRASE
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2859 OF 2024

MADHURI PUNJABRAO DEOKAR
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2861 OF 2024

PRAFULCHANDRA BHATU PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2836 OF 2024

NANABHAU KAUTIK BORSE
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 2846 OF 2024

MAHENDRA YASHWANT PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

CIVIL APPLICATION NO. 3753 OF 2024 IN WP/6491/2021

SHAIKH ISRAR AHMED ABDUL MAJID SHAIKH
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND

WRIT PETITION NO. 6536 OF 2021

ANIL RAMESH MALI AND OTHERS
VERSUS

THE UNION OF INDIA THROUGH CHIEF SECRETARY AND OTHERS

AND
WRIT PETITION NO. 11225 OF 2021

HASHMI SYED NAFIS ABBAS
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OHTERS

AND
WRIT PETITION NO. 7729 OF 2021

ANANTA VISHVANATH DAHIWADKAR AND OTHERS
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND
WRIT PETITION NO. 11267 OF 2021

SAYYED AYUB HAMID
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 11227 OF 2021

SHAIKH IKRAM NIZAM
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 11221 OF 2021

SAYYAD YUNUS HAMID
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 11222 OF 2021

SAYED AHESAN ALI ABDUL ALI
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 11228 OF 2021

PATHAN KABIR NISAR AHMED KHAN
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 11223 OF 2021

WAYAL ALKA PANDITRAO
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 11268 OF 2021

SHAIKH SHAISTA PARVEEN MOHIYODDIN
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 11224 OF 2021

SHAIKH HAFIZODDIN HASNODDIN
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 11226 OF 2021

SARJINE TRUPTI SHIVAJI
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 6433 OF 2021

SHAIKH NASIM AHMED SHAIKH AHMED
VERSUS

THE UNION OF INDIA AND OTHERS

AND
WRIT PETITION NO. 6430 OF 2021
SHAIKH JAMEEL SHAIKH SHAKIL
VERSUS
THE UNION OF INDIA AND OTHERS

AND
WRIT PETITION NO. 6431 OF 2021
SAYYED SHAHIN SAYYED AZIZ
VERSUS
THE UNION OF INDIA AND OTHERS

AND
WRIT PETITION NO. 6491 OF 2021
SHAIKH ISRAR AHMED ABDUL MAJID SHAIKH
VERSUS
THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND
WRIT PETITION NO. 6624 OF 2022
SHAIKH MOBIN SHAIKH NAZIM
VERSUS
THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND
WRIT PETITION NO. 7526 OF 2021
PRAVIN SHARAVAN PATIL AND OTHERS
VERSUS
THE UNION OF INDIA AND OTHERS

AND
CIVIL APPLICATION NO. 10085 OF 2024 IN WP/10966/2022
BEDKE SACHIN BHAGWAT
VERSUS
THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHER

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AND

WRIT PETITION NO. 10966 OF 2022

BEDKE SACHIN BHAGWAT
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHER

AND

WRIT PETITION NO. 13314 OF 2021

VILAS NAGORAO SONULE AND ANOTHER
VERSUS

THE UNION OF INDIA AND OTHERS

AND

WRIT PETITION NO. 13631 OF 2023

BHAGYASHRI NIVRUTTI VANVE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 13593 OF 2023

ARUNA RAMKISHAN JAMGE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15478 OF 2023

RADHA SHAMRAO PATIL AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15512 OF 2023

SUHAS PADMAKAR DALAL AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 13633 OF 2023

SEEMA KESHAVRO MORE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15513 OF 2023

SAVITA NAMDEV SARWAR SAVITA SHRIRAM MORE AND ANOTHER
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 13622 OF 2023

ANITA BAHADURSING PAWARA AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 13623 OF 2023

SARIKA DATTATRAY BUKULE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 909 OF 2023

ANITA FRANCIS PILLAY
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 13667 OF 2023

PUSHPAWATI BABURAO KENDRE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15514 OF 2023

SHAIKH ZHISHAN SHEKH AKHTAR AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 13668 OF 2023

RATNA NIVRUTTI GHULE AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15479 OF 2023

PRADNYA SUDHIR DIVAKAR AND OTHERS
VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND

CIVIL APPLICATION NO. 2292 OF 2024 IN WP/7729/2021

ANANTA VISHVANATH DAHIWADKAR AND OTHERS
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15233 OF 2023

SACHIN PRAKASH MORE
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15214 OF 2023

MADHAV GOVINDRAO JADHAV
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15260 OF 2023

BHARAT DAYARAM NAGRALE
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15261 OF 2023

PRAVIN SHRAVAN PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15215 OF 2023

PANKAJ BAJIRAO PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15220 OF 2023

HEMANT RAMESH JAGTAP
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15237 OF 2023

PANKAJ DAJIBA PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15242 OF 2023

NAVAL SURESH PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15216 OF 2023

NARENDRA NARAYAN PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15278 OF 2023

SUGANDHA SITARAM PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15223 OF 2023

NILKAMAL VASANT BHOLE
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15268 OF 2023

SURESH CHANDRAPRAKASH JADHAV
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15266 OF 2023
ANKUSH PANDURANG PAWAR
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 15212 OF 2023
MANOHAR KARBHARI BACHHAV
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 122 OF 2024
BHAKTARAM SHRIRAM BADE
VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND
WRIT PETITION NO. 57 OF 2024
AYESHA FARHEEN SHAIKH ABDUL ASAD
VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHERS

AND
CIVIL APPLICATION NO. 226 OF 2024 IN WP/6430/2021
SHAIKH JAMEEL SHAIKH SHAKIL
VERSUS

THE UNION OF INDIA AND OTHERS

AND
WRIT PETITION NO. 105 OF 2024
SWAPNIL CHANDRAKANT PATIL
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 108 OF 2024

KRUSHNAKANT SHRIRANG GIRASE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 15761 OF 2023

BALAJI RAMRAO TIRKMTE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

CIVIL APPLICATION NO. 863 OF 2024 IN WP/10966/2022

BEDKE SACHIN BHAGWAT

VERSUS

THE UNION OF INDIA THROUGH ITS CHIEF SECRETARY AND OTHER

AND

WRIT PETITION NO. 129 OF 2024

SAMBHAJI ASHOKRAO PATIL

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 124 OF 2024

SHRIGANESH VISHWANATH MUDGADE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 120 OF 2024

SANJAY SUBHASHRAO BIRADAR

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

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AND

WRIT PETITION NO. 138 OF 2024

SANJAY PRABHAKAR JADHAV

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

WRIT PETITION NO. 134 OF 2024

BALASAHEB BHANUDAS BHIVARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 153 OF 2024

GAJANAN DATTATRAYA AMBHORE

VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 139 OF 2024

SAYYAD AKRAM SALIM

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 151 OF 2024

AJAY KRISHNRAO INGALE

VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 141 OF 2024

RAJENDRA BHIKANRAO PATIL

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

AND
WRIT PETITION NO. 121 OF 2024

POPAT HARIBHAU AWARI
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 125 OF 2024

PANKAJ SAHEBRAO PATIL
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

AND
WRIT PETITION NO. 563 OF 2024

PORNIMA JADHAV PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 235 OF 2024

KAVITA RAVINDRA PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 461 OF 2024

KISHOR NARAYAN NIKAM
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
WRIT PETITION NO. 462 OF 2024

CHHAYA VISHWAS PATIL
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

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AND

WRIT PETITION NO. 133 OF 2024

SAGAR GIRDHAR THAKUR
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 127 OF 2024

SARDAR KHATA PATIL
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 157 OF 2024

ASHA SHIVAJI JADHAV
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

WRIT PETITION NO. 154 OF 2024

SWANAND NAVNATH RATHOD
VERSUS

THE STATE OF MAHARASHTRA THROUGH SECRETARY AND OTHERS

AND

65 CIVIL APPLICATION NO. 697 OF 2025 IN WP/6512/2021

GAFOOR ABDAR PATHAN
VERSUS

THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND

128 WRIT PETITION NO. 13286 OF 2021

SHAIKH ALEEMUDDIN SHAIKH AMEERUDDIN
VERSUS

THE UNION OF INDIA AND OTHERS

AND

1 CIVIL APPLICATION NO. 995 OF 2025 IN WP/906/2023

PARMESHWAR YADAV MHASKE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

2 CIVIL APPLICATION NO. 1189 OF 2025 IN WP/908/2023

SADHANA SHANKAR SAWANT

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

3 CIVIL APPLICATION NO. 1271 OF 2025 IN WP/910/2023

JYOTI KRISNARAO BOLKE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

4 WRIT PETITION NO. 6041 OF 2021

LATABAI BABURAO BARSKAR

VERSUS

THE CHIEF EXECUTIVE OFFICER ZP AHMEDNAGAR AND ANOTHER

AND

5 WRIT PETITION NO. 809 OF 2024

SHARAD BABAURAO KENDRE

VERSUS

THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND

6 WRIT PETITION NO. 997 OF 2024

CHANDRAKANT GAUTAM GAIKWAD

VERSUS
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND
7 WRIT PETITION NO. 6492 OF 2021

ABHIJIT KISHOR PATIL AND ANOTHER
VERSUS
THE UNION OF INDIA THROUGH SECRETARY AND OTHERS

AND
8 WRIT PETITION NO. 6513 OF 2021

SHAIKH ASIF SHAIKH KHALIL
VERSUS
THE UNION OF INDIA THROUGH ITS SECRETARY AND OTHERS

AND
9 WRIT PETITION NO. 66 OF 2024 with CIVIL APPLICATION NO. 1584/24

ANAND DATTATRYA SHINDE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY AND OTHERS

AND
WRIT PETITION NO. 3577 OF 2025

SUDHIR SUBHASH SATPUTE
VERSUS
THE STATE OF MAHARASHTRA
THROUGH ITS PRINCIPAL SECRETARY & ORS.

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Advocate for the Petitioner/s : S/Shri Pawar Rahul S., Madde Shrikant B.,
Sachin G. Joshi, S.S. Kazi, Patil Yogesh M. Pathan Hamzakhan I.,
Gaikwad Pramod S., Yogesh Murlidhar Patil, Zambare Sudheer R.,
Vinod Patil, Syed Azizoddin, M.N. Shaikh,
Ms. Kazi Sabahat T. and Ms. Kazi Fatema in respective petitions

AGP for Respondents/State : Mr. V.M. Kagne

Standing Counsels for UOI : S/Shri M.A. Golegaonkar, R.R. Bangar, D.B. Gaikwad, Bhushan Kulkarni, S.W. Munde, R.B. Bagul, S.S. Deve, A.N. Patale, Ms. Sudha Chintamani & Ms. Nikita Gore in respective petitions

Sr. Advocate for M.P.S.P. : Mr. Patil Bankar Deelip in respective petitions

Advocate for Resp./Z.P. Jalgaon : Mr. V.V. Gujar in respective petitions
Advocate for Resp./Z.P. Nanded : Mr. S.B. Pulkundwar in respective petitions

Advocate for Respondents : S/Shri V.D. Patnurkar, Mohammad Waseemullah in respective petitions

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CORAM : **MANGESH S. PATIL &
Y.G. KHOBRADE, JJ.**

DATE : **21.03.2025**

P.C. :-

1. Mr. Gaikwad Pramod submits that few of his matters have been wrongly clubbed and have been listed together with this group involving Special Teachers matters when these are the matters of Auxiliary Nurse Midwife. All these matters as mentioned below shall stand de-tagged and be listed separately on due dates:

WRIT PETITION NO. 13631 OF 2023, WRIT PETITION NO. 13593 OF 2023, WRIT PETITION NO. 15478 OF 2023, WRIT PETITION NO. 15512 OF 2023, WRIT PETITION NO. 13633 OF 2023, WRIT PETITION NO. 15513 OF 2023, WRIT PETITION NO. 13622 OF 2023, WRIT PETITION NO. 13623 OF 2023, WRIT PETITION NO. 13667 OF 2023, WRIT PETITION NO. 15514 OF 2023, WRIT PETITION NO. 13668 OF 2023, WRIT PETITION NO. 15479 OF 2023 and WRIT PETITION NO. 3577 OF 2025.

2. Civil Application No.995 of 2025 in WP/906/2023, Civil Application No. 1189 of 2025 in WP/908/2023, Civil Application No.1271 of 2025 in WP/910/2023 and Writ Petition Nos. 6041 of 2021, 809 of 2024, 997 of 2024, 6492 of 2021, 6513 of 2021 and 66 of 2024 are not on board. On request papers are called.

3. We have heard the learned advocates for the petitioners as also the learned AGP. These are the matters of Special Teachers appointed under the Inclusive Education for Disabled at Secondary Stage (IEIDSS) when it was fully sponsored by the Central Government. By the passage of time the Central Government apparently disassociated itself and limited its liability only to the extent of a defined share according to the salary/scale of the post. The dispute started after 2018 when the payment of salaries was stopped and several petitions were filed at the Principal Seat, Nagpur bench of the High Court and even at this bench.

4. In the wake of serious allegations about eligibility of the persons appointed as Special Teachers, the State Government in the concerned department undertook an exercise for verification of eligibility of each of them. The petitions were filed at different benches. Ad interim reliefs were solicited. In writ petition no.3696/2018 and other connected matters by the order dated 28.04.2022 at the Nagpur bench the petitioners were directed to

be paid, for the time being salary @ Rs.75,000/- per month as an ad-hoc payment starting from 01.04.2022.

5. As against this, at the Principal Seat and at this bench ad interim orders were passed holding these petitioners entitled to salaries @ Rs.25,000/- per month. In one of the group of petitions filed at this bench, however, direction was given as an ad interim relief, to make payment to the petitioners at par with whatever was ordered by the Nagpur bench i.e. @ Rs.75,000/- per month.

6. For non-payment of the salaries contempt proceedings have been filed at this bench. By the order dated 08.04.2024 in contempt petition no.763/2023 and connected matters the petitioners who were found eligible were stated to be not paid even @ Rs.25,000/-. In spite of the direction of the absorption in that order, the matter is standstill.

7. The learned AGP tenders across the bar written instructions received from the Directorate of Primary Education dated 20.03.2025. It has been mentioned therein that as regards the payments to be made and arrears to be cleared and absorption of 358 special teachers who after scrutiny have been found to be eligible and entitled to continue, instructions have been divided in three categories.

(a) As regards arrears of salary it is mentioned therein that arrears have been cleared from the date of appointment till March-2023. But some advocates of some of these petitioners dispute this.

(b) As regards payment of regular salary to these 358 Special Teachers is concerned it is mentioned that they are being paid salary @ Rs.25,000/- per month even this fact is being disputed by the learned advocates of some of the petitioners. It is mentioned in this regard in these written instructions that out of those 358 Special Teachers who have not received the regular salaries from April-2023 on-wards they can approach the Directorate of Primary Education through Director of Primary Education and further steps would be taken for payment of their arrears of salary.

(c) As regards absorption of these 358 special teachers is concerned, these instructions mention that they are to be absorbed and the process of absorption is underway at the directorate level and it is after they are absorbed as Special Teachers that they would be paid salary according to the pay scale.

(d) This communication at the last mentions that the process of absorption will take around two to three months.

8. The aforementioned circumstances would clearly indicate that the matter is not being handled with expected zeal and seriousness since inception. The state has allowed the disparity to be maintained even in respect of ad interim reliefs. For the teachers who have approached the

Nagpur bench the state is suffering an order for payment of salary @ Rs.75,000/- and is comfortable with the ad interim reliefs in respect of the petitioners who have approached the Principal Seat or this bench.

9. Again even, as is pointed out herein-above, there are two orders wherein in most of the matters the ad interim relief is to pay @ Rs.25,000/- whereas in a group of matters there is an order for payment of Rs.75,000/- per month and the learned AGP on instructions submits that those petitioners are being paid @ Rs.75,000/- per month.

10. We are flabbergasted by the approach of the state in treating the Special Teachers who even it holds to be eligible and having been appointed legally. No immediate steps have ever been taken either to clear the arrears or to pay them regularly at par at least those 358 teachers, who according to it are entitled to even absorption being eligible and appointed by following due process of law.

11. Incidentally, we are informed that an attempt was made by the state to take exception to the ad interim order passed at Nagpur bench by approaching the Supreme Court but that has failed.

12. The learned AGP seeks time to file affidavit in reply in all these matters and to come out with some concrete stand and is requesting the status quo to continue so that all the matters can be heard finally. However, in the aforementioned circumstances and the approach of the state, to our mind, does not permit us to grant any further leeway. The state may take its own time in filing affidavit in reply. However, in modification of the earlier ad interim orders we direct the state to pay all the 358 special teachers which it has found after scrutiny to have been regularly appointed being eligible and are even entitled to absorption, that the state shall hereafter pay them salaries for the time being @ Rs.75,000/- per month till final disposal of these petitions.

13. As regards the arrears which the state is still to clear even at @ Rs.25,000/- per month, since the matter is already before a coordinate division bench taking up contempt proceedings we do not wish to comment.

14. List all these matters on 30.04.2025 to enable the learned AGP to file the affidavit in reply.

15. Civil Application No.697/2025 is filed for seeking restoration of writ petition. For the reasons mentioned in the application and considering the nature of dispute, the application is allowed, delay is condoned and the

writ petition no.6512/2021 is restored subject to the condition that the office objections shall now be removed within two weeks.

[Y.G. KHOBRADE, J.]

[MANGESH S. PATIL, J.]