



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5007 OF 2026

Sangram Baburao Pulkundwar
VERSUS
The State Of Maharashtra Thr Its Secretary And Ors

...

Mr. V. D. Sapkal, Senior Advocate a/w Mr. Y. A. Jadhav i/by Mr. A. V. Indrale Patil,
Advocates for the Petitioner

Mr. S. R. Yadav Lonikar, AGP for Respondent Nos. 1 to 3

Mr. S. R. Dheple, Advocate for Respondent No. 4

Mr. R. D. Gaikwad, Advocate for Respondent No. 5

CORAM : S. G. CHAPALGAONKAR, J
DATE : MAY 05, 2026

PC:

1. Mr. Sapkal, learned Senior Advocate appearing for Petitioner, points out that impugned order is without jurisdiction particularly in light of law laid down by full bench of this Court in case of *Namdeo S/o Vishnu Sase vs. State of Maharashtra and Others, 2023 (2) Mh.L.J. 598*, wherein it is held that issue of seniority, including issue of qualification having bearing on seniority, if raised by aggrieved teacher or an employee, can only be decided by School Tribunal under Section 9(1)(b) of the Maharashtra Employees of Private Schools (Conditions of Service) Regulation Act read with Rules.

2. Issue notice to Respondents, returnable on 11.06.2026. Learned AGP waives service of notice on behalf of Respondent Nos.1 to 3/State. Mr. Dheple, learned Counsel, waives service of notice on behalf of Respondent No. 4. Mr. Gaikwad, learned Counsel, waives service of notice on behalf of Respondent No. 5.

3. There shall be ad-interim relief in terms of prayer clause 'C'.

(S. G. CHAPALGAONKAR, J.)

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