

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10697 OF 2025

RABIYA BEGUM MANJOOR AHMED
VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

...

- Mr. Syed Masood Chand, Advocate for the Petitioner
- Mr. S. P. Sonpawale, AGP for Respondent Nos. 1 to 3 - State
- Mr. S. B. Pulkundwar, Advocate for Respondent No. 4

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CORAM : SMT. VIBHA KANKANWADI
AND
HITEN S. VENEGAVKAR, JJ.

DATED : OCTOBER 14, 2025

PER COURT :

1. The present petition has been filed for direction to respondent No. 4 to submit the petitioner's pension proposal to the pension office – Nagpur.
2. Issue notice to the respondents. The learned AGP waives notice for respondent No. 1 to 3. Mr. S. B. Pulkundwar, learned advocate waives notice for respondent No. 4. Notice of respondent No. 5 is made returnable on **21.11.2025**.
3. The learned advocate for the petitioner relies on a similarly situated petitions and representations, which came to be allowed by this Court in WP Nos. 15374/2019, 6138/2012, 4514/2024, and in spite of observations of this Court that the employees of the schools

were not responsible for closure / de-recognition of the school, the similarly situated persons have not been dealt with by respondent No. 4 equally.

4. This Court in writ petition No. 15374 of 2019, decided on 07.02.2024, had directed respondent no. 4 to declare the petitioner as entitled for absorption as per the MEPS Act and Rules and include her name in the list of surplus teachers and then the benefits as per the provisions of Rule 25-A of the MEPS Rules were directed to be given. Even it appears that no such order has been passed by respondent No. 4, after the decision of this Court in respect of the present petitioner. The petitioner in writ petition No. 15374 of 2019 was also the party. Even prior to that it appears that, in writ petition No. 2784 of 2008, decided on 07.09.2018, respondent No. 4 was directed to conduct enquiry in respect of claim of the petitioner for absorption within a period of two months from the date of appearance of the petitioner therein.

5. In the nutshell, what we want to say is that when this Court has come to a conclusion then similarly situated persons should be dealt with alike. The reason for this observation is the total inaction on the part of respondent No. 4 to respond to the representations of the petitioner.

6. Respondent Nos. 1 to 4, especially respondent Nos. 4 and 5, shall file affidavit-in-reply on or before **10.11.2025**.

(HITEN S. VENEGAVKAR, J.)

(SMT. VIBHA KANKANWADI, J.)