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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 11073 OF 2024

Shaikh Abdul Gani Shaikh Gafur

PETITIONER

VERSUS

The State of Maharashtra and Others

RESPONDENTS

Mr. S. R. Kolhare, Advocate for the Petitioner

Mrs. V. S. Chaudhari, AGP for Respondent - State

Mr. Sayyad Tauseef Yaseen, Advocate for Respondent No.4

Mr. V. S. Panpatte, Advocate for Respondent No.5

WITH

WRIT PETITION NO. 13280 OF 2024

[CORAM : NITIN B. SURYAWANSHI, &
VAISHALI PATIL-JADHAV, J. J.]

DATE : 6th MAY, 2026

ORDER :

1. Record indicates that Respondent No.5 had not caused appearance in spite of service of notice. This Court, therefore, issued non bailable warrant against her. After issuance of the non bailable warrant, Respondent No.5 appeared and requested for cancellation of warrant. The said request was accepted and the warrant was cancelled. However, still Respondent No.5 is not mending ways and continues with non co-operation.

2. Mr. V. S. Panpatte, learned Advocate was appointed by this Court to assist the Court, vide order dated 30th July, 2025. He submits that, in spite of repeated requests, Respondent No.5 is neither co-operating nor giving instructions. On the contrary, she is making allegations against him. In these circumstances, he seeks discharge from the matter.

3. Mr. Panpatte has placed on record certain correspondence in which it is stated that if there is dispute in the management, then the Education Officer is entitled to consider proposal of the teachers.

4. Considering the fact that, Respondent No.5 is neither cooperating with the learned Advocate appointed by this Court to represent her nor appearing before this Court on the appointed dates, appearance of Mr. Panpatte, learned Advocate for Respondent No.5 is discharged.

5. Issue non bailable warrant against Respondent No.5, to be sent for execution on 8th June, 2026, returnable on 22nd June, 2026.

6. In the meanwhile, the Petitioner to approach Respondent No.3 with the relevant documents and duplicate service book.

Respondent No.3 shall process the proposal of the Petitioner in accordance with rules.

7. Stand over to 22nd June, 2026.

[VAISHALI PATIL-JADHAV]
JUDGE

[NITIN B. SURYAWANSHI]
JUDGE