



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**  
**WRIT PETITION NO.901/2026**

Ku. Isha Bhuddhaji Narote .Vs. State of Maharashtra and Ors.

Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

Mr. B. G. Kulkarni, Advocate for petitioner.

Mr. S. B. Bissa, A.G.P for respondent Nos. 1, 2 and 5.

**CORAM : ANIL L. PANSARE AND RAJNISH R. VYAS, JJ.**

**DATE : JUNE 8, 2026.**

Heard.

2. The petitioner is required to approach this Court again and the reason appears to be the incorrect interpretation of order dated 26.08.2024 passed by this Court in earlier petition filed by petitioner, being Writ Petition No.5217/2019.

3. The petitioner was appointed as Shikshan Sevak on 21.02.2015 in respondent No.4 School. The appointment was made with a condition that the petitioner will acquire additional qualification of M. A. (Marathi), within 3 to 4 years and on failure, her employment was liable to be terminated. The petitioner acquired additional qualification but belatedly. The Management proposed action in terms of appointment order, which action was challenged in the earlier writ petition. The Division Bench of this Court, while allowing the petition held thus:

*"5. In the instant case, the Petitioner had appeared for the April 2019 examination for the 4<sup>th</sup> semester of M.A. (Marathi), the results of which were declared in October 2019. Thus the effective date would be April 2019 which is nearby to the period of 4 years which is completed in February 2019. Since the Petitioner has acquired the qualification though belatedly and in view of the fact that the language of the Government Resolution dated 01.12.2005 is not clear, precise and specific and in fact indicates a general period with which the qualification is to be acquired, in the peculiar facts above, it would be appropriate to set aside the order dated 09.04.2019 as well as the order of termination dated 16.04.2019 which is accordingly done and the Respondent Nos.1 and 2 are directed to grant regularization to the employment of the Petitioner, subject to the condition*

*that the Petitioner would be entitled to claim salary and other benefits from the date of this order.”*

4. As could be seen, the order dated 09.04.2019 was quashed and set aside so also order dated 16.04.2019. Respondent Nos.1 and 2 therein as well as herein were directed to grant regularization to the employment of the petitioner, subject to condition that the petitioner would be entitled to claim salary and further benefits from the date of the order of this Court.

5. Thus, the Court ordered to grant regularization to the employment of the petitioner. Said order was passed by setting aside order of termination dated 16.04.2019, meaning thereby that regularization would continue from the date of order of termination. The salary and other benefits were, however, to be granted from the date of the order. Thus, for the purpose of claim of salary and other benefits, the date of order i.e. 26.08.2024 was to be considered whereas for regularization, the date of order of termination dated 16.04.2019, which was set set aside, ought to have been considered.

6. Instead, the respondents have regularized services of petitioner from the date of order of the Court i.e. from 26.08.2024. On the top of it, respondent No.2, Deputy Director of Education, has granted approval to regularization as proposed by the management from the date of joining i.e. 14.09.2024.

7. Accordingly, petitioner is before this Court challenging the subsequent action showing yet another illegality committed by the respondents.

8. Prima facie, we find substance in the submissions put forth by the petitioner.

9. Issue notice to the respondents, returnable on 01.07.2026.

10. Learned A.G.P waives service of notice for respondent Nos. 1, 2 and 5.

11. We expect the respondents to take corrective steps, if so advised.

(JUDGE)

(JUDGE)