



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION No.2500 OF 2026

(Jaya Nitin Ukarde Vs. The State of Maharashtra, through its Secretary, Rural Development & Water Conservation Department, Mantralaya, Mumbai and others)

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

Court's or Judge's orders.

Mr. R.D. Karode, Advocate for Petitioner.

CORAM : **SMT. M.S. JAWALKAR AND**
NANDESH S. DESHPANDE, JJ.
DATE : **26th MARCH, 2026.**

1. Heard Mr. R.D. Karode, learned counsel for the petitioner.
2. The petition takes exception to the list of surplus teachers for the year 2025-26.
3. It is the contention of the petitioner that she has been declared as surplus in spite of the fact that one Ku. Ushatai Vishwanath Talot, who was appointed on 18.11.1992 is senior to her. He, therefore, submits that the said action is in contravention to the guidelines dated 13.2.2026 issued by the Zilla Parishad. The said guidelines were issued in pursuance to the Government Resolution dated 18.5.2011. Clause (3) of the said Government Resolution contemplates that, in case, there are surplus Teachers, the senior-most Teacher would be declared as surplus. Relying on the order of this Bench in Writ Petition No.2219/2026 passed on 13.3.2026, Mr. R.D. Karode submits that said controversy has already been considered by this Court. He, therefore, prays

for similar order in the present matter.

4. In that view of the matter, issue notice for final disposal to the respondents, returnable on 10.4.2026.

5. Mrs. D.I. Charlewar, learned A.G.P. waives service of notice on behalf of respondent No.1.

6. Notice be served to the respondent Nos.2 to 5, by all modes permissible in law including regular mode of service and the counsel for the petitioner to file an affidavit of service in that regard before the returnable date.

7. If such an exercise of filing an affidavit is not done, the petitioner shall pay costs of Rs.1,000/- and the costs be deposited in the 'Public Welfare Account' bearing Account No.129712010001014 (IFSC Code : UBIN0812978 in the Union Bank of India, Branch High Court, Civil Lines, Nagpur.

8. In view of above position, prima facie case is made out by the petitioner. Therefore, ad-interim relief in terms of prayer clause (iv) of this petition.

9. We, however, made it clear that the representation of the petitioner, which is already pending with the respondents on 25.2.2026 and such similar representations may be decided, in accordance with law.

(NANDESH S. DESHPANDE, J.)

(SMT. M.S. JAWALKAR, J.)