



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition No.3940/2026

1. Pattiwar High School, through its Head Mistress.
2. Anuja d/o Arvind Kottawar, Age 35 years, Occ.-Service,
3. Pooja d/o Ashok Shennurwar, Age 36 years, Occ-Service,
4. Rajesh s/o Mahadevrao Gaurkar, Age 40 years, Occ.-Service,
All are R/o. Office at Pattiwar High School, Pandharkawada,
Tq. Kelapur, Dist- Yavatmal. Petitioners.

Versus

1. State of Maharashtra, through its Secretary,
Department of School Education and Sports,
Mantralaya, Mumbai-32.
2. Deputy Director of Education, Amravati Division, Amravati.
3. Education Officer (Secondary), Zilla Parishad, Yavatmal. Respondents.

Mr. S.S. Shingane, Advocate for petitioners.
Mrs. Dhande, AGP for respondent nos.1 to 3.

CORAM : Smt. M.S. Jawalkar and Nandesh S. Deshpande, JJ.

DATE : 07-05-2026.

Oral Judgment (Per-Nandesh S. Deshpande, J.)

Issue notice to the respondents.

2. Learned AGP waives service of notice on behalf of the respondents.

3. **Rule.** Rule made returnable forthwith. Heard finally with the consent of parties.

4. In view of the order proposed to be passed, we do not consider it necessary to call for reply from the respondents.

5. The present petition prays for a direction to quash and set aside the communication dated 02-02-2026 issued by respondent no.3. It further seeks a direction to decide the representation dated



07-04-2026 made by petitioner no.1 seeking correction in the staffing pattern.

6. From the averments made in the petition, it appears that on 02-02-2026, respondent no.2 approved the staffing pattern of teaching and non-teaching staff of petitioner no.1 school for the academic year 2025–26. As per the said staffing pattern, there were 21 students in the 9th standard and 19 students in the 10th standard, thereby totaling 40 students. Subsequently, on 21-02-2026, petitioner no.1 submitted an application to the Education Officer seeking correction of the date of birth in the living certificate, as per the prescribed proforma. Thereafter, on 27-03-2026 and 08-04-2026, respondent no.3 published a programme for absorption of surplus employees, and the list of surplus employees was accordingly published on 28-03-2026. This prompted petitioner no.1 and the Secretary of petitioner no.1 to submit objections/representations to the declaration of petitioner nos.2 to 4 as surplus. Subsequently, on 07-04-2026, petitioner no.1 submitted an application to respondent no.3 seeking correction in the staffing pattern. On 10-04-2026, respondent no.3 granted permission for correction of the date of birth of the concerned student in the living certificate.

7. The facts on record indicate that the correction in the name/date of birth of the student was approved by the Education Officer on 10-04-2026. Learned counsel for the petitioners fairly states that, consequent upon such correction which has a bearing on the staffing pattern no representation has yet been made to the Education Officer. He, therefore, submits that petitioner no.1 school be permitted to make an appropriate representation bringing this fact to the notice of respondent no.3.



8. In view of the above, the petition is disposed of with a direction to petitioner no.1 to submit a representation in light of the fact that the date of birth stands corrected by order dated 10-04-2026.

9. Respondent no.3 is further directed to maintain status quo in respect of the staffing pattern until the said representation is decided.

10. Petitioner no.1 shall appear before respondent no.3 on 13-05-2026 along with the representation, in light of the observations made hereinabove and along with a copy of this order.

11. Respondent no.3 is directed to consider and decide the representation of petitioner no.1 in accordance with law within a period of two weeks from the date of this order. Till such decision is taken, respondent no.3 shall maintain status quo with regard to the employment of petitioner nos.2 to 4. Respondent no.3 would give a hearing to the petitioner no.1 and he would also be entitled to file documents in support of its claim.

12. With these directions, the petition stands disposed of.

13. Rule is made absolute in above terms. No costs.

(Nandesh S. Deshpande, J.)

(Smt. M.S. Jawalkar J.)