



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

WRIT PETITION NO. 4043 OF 2026

CBSE School Staff Welfare Association and others

.Vs.

The Union of India and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
Judge's orders.

Court's or

and Registrar's Orders.

Shri P. B. Patil, Adv. With Shri Nikhil Waghmare and Shri Vinay Rathi,
Advocates for the petitioner/s

Shri Kartik Shukul, D.S.G.I. for respondent Nos. 1 and 2

Shri J. B. Kasat, Advocate for respondent Nos. 3 to 6.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATED : 08th MAY, 2026.

Heard.

2. In similar Writ Petition No.3004/2026 (*The Sikh Education Society, Bezon Bagh, Nagpur and ors. vs. Union of India and ors.*) the co-ordinate Bench had granted interim relief. In the said order, paragraph 7 is relevant which reads thus :

“ 7. Further, learned counsel for the petitioners has referred to the judgment of this Court in the case of *Gokul Shrirang Mundhe and ors. vs. State of Maharashtra and ors.* (2017 SCC OnLine Bomb 10083) and judgment of Gujarat High Court in *R/Letters Patent Appeal No.244/2019 in R/Special Civil Application No.5335/2010 dated 05/02/2019*, to contend that issue involved is covered wherein the High Courts have clarified that under the requisitioned staff for the purpose of taking census, the staff of private aided/unaided colleges is excluded. The petitioners

herein are teachers and staff working in private unaided college.”

3. The above referred writ petition was disposed of subsequently on the ground that the communication in the said writ petition was withdrawn by the respondent-Authorities.

4. The fact remains that precedent was followed and referred to in the said order.

5. This Court vide order dated 30/04/2026 in Writ Petition No.3636/2026 (*Lokmanya Tilak Jankalyan Shikshan Sanshta, Laxmi Nagar, Nagpur vs. Union of India and ors.*) has dealt with similar issue and granted *ad interim* relief in favour of the petitioners in that matter.

6. The Co-ordinate Bench of this Court in Writ Petition No. 3612/2026 (*The Sikh Education Society, Nagpur thr. its General Secretary and ors..Vs. Union of India, thr. Secretary, Dept of Home Affairs, New Delhi and others*) and Writ Petition No. 3919/2026 (*CBSE School Staff Welfare Association and others Vs. Union of India and others*) has dealt with similar issue and granted interim relief vide orders dated 04/05/2026 and 06/05/2026.

7. In the circumstances, issue notice to the respondents, returnable on **29/06/2026**.

8. Shri Kartik Shukul, learned Deputy Solicitor General of India waives service of notice on behalf of respondent Nos.1 and 2.

9. Shri J. B. Kasat, learned counsel waives service of notice on behalf of respondent Nos. 3 to 6.

10. In the meantime, there shall be stay to the communications dated 23/03/2026, 06/04/2026, 23/04/2026, 28/04/2026, 29/04/2026, 02/05/2026 issued by respondent Nos. 4, 5 and 6 respectively and communication dated 27/04/2026 issued by respondent No.5 to the petitioners.

11. Office objections(s), if any, shall be removed before the next date.

12. An authenticated copy of the order be supplied to the counsel for the parties.

[RAJ D. WAKODE, J]

[ANIL S. KILOR, J.]

Diwale