



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 3108 OF 2023

Marathwada Legal and General
Education Society, Aurangabad
Through its Secretary
Dr. Smt. Kalpalata Patil Bharaswadkar,
Age : 54 Years, Occu. : Advocate,
R/o Plot No. 213, Parijat Nagar,
N-4 (South), Beside Pundlik Nagar
Police Station, CIDCO,
Aurangabad 431 003.
E-mail : mplawcollege@gmail.com
Mobile No. 94222 03484. .. Petitioner

Versus

1. Dr. Babasaheb Ambedkar Marathwada
University, Aurangabad,
Through its Registrar,
University Campus, Aurangabad.
2. The State of Maharashtra,
Through the Principal Secretary,
Higher and Technical Education
Department, Mantralaya,
Mumbai 400 032.
3. The Director of Higher Education,
Maharashtra State,
Central Building, Pune 411 001.
4. The Joint Director of Higher
Aurangabad Region, Aurangabad.
5. Assistant Commissioner,
B. C. Cell, in the office of the
Divisional Commissioner,
Aurangabad Region, Aurangabad. .. Respondents

Shri Ajay S. Deshpande, Advocate for the Petitioner.
Shri S. S. Thombre, Advocate for the Respondent No. 1.
Shri S. G. Sangle, A.G.P. for the Respondent Nos. 2 to 5.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.**

**CLOSED FOR JUDGMENT/ORDER ON : 21.07.2023
JUDGMENT/ORDER PRONOUNCED ON : 07.08.2023.**

JUDGMENT (Per *Shailesh P. Brahme, J.*) :-

. Rule. Rule is made returnable forthwith. With the consent of the parties taken up for final hearing at the admission stage.

2. The petitioner is an educational institution which runs Manikchand Pahade Law College, Aurangabad (hereafter referred as to the 'Law College') and Dr. (Smt.) Indirabai Bhaskarrao Pathak Mahila Arts, Commerce and Science College, Aurangabad (hereinafter referred as to the 'Mahila college'). Both the colleges are aided colleges. The law college was established in the year 1956, whereas Mahila College was established in the year 1971. The petitioner is challenging the communications dated 11.03.2022, 04.05.2022, 24.06.2022, and 14.09.2022 issued by respondent Nos. 1, 2 and 5 thereby insisting the petitioner institution to get the roster verified from the competent authority and treating the posts of Principal of these two colleges amenable to the policy of reservation. The claim of the petitioner that principal is an isolated post and reservation policy is not applicable stands rejected, impliedly.

3. It is the case of the petitioner that the post of principal in the Mahila College fell vacant on 01.05.2022 because of the superannuation. On 05.01.2022 a proposal was forwarded by the petitioner seeking permission for the recruitment of the principal directly. So far as the law college is concerned the acting principal is to attain age of superannuation on 30.09.2023.

4. The age of superannuation for the principal in the senior colleges is 62 years, same is extendable to 65 years as per the Government Resolution dated 05.03.2011 and G. R. dated 23.03.2011. For extending the age from 62 years to 65 years, a procedure is prescribed to be followed by the educational institutions. An incumbent is required to be assessed by performance review committee. It is also contemplated that before granting extension beyond 62 years an attempt should have been made for recruitment by publishing an advertisement. It is the case of the petitioner that a care was taken that before the said post falls vacant the communication was made to the respondents to secure permission for publishing an advertisement, which is a step towards direct recruitment.

5. It is further case of the petitioner that on 25.01.2022, proposal was submitted to the respondent No. 1 seeking permission for recruitment of principal as well as seeking approval for publishing the advertisement. On 11.03.2022, the respondent No. 1/University addressed a letter to the petitioner stating that the proposal be submitted after securing no objection from the Assistant Commissioner Backward Class Cell,

Aurangabad. On 04.05.2022, the respondent No. 5 addressed a letter to the respondent No. 1. A copy of which is forwarded to the petitioner stating that the post of principal is amenable to the policy of reservation and as per the new policy the verification of the roster be done by submitting a proposal to its office.

6. On 14.09.2022, the respondent No. 2 addressed a letter to the respondent No. 2/Joint Director informing that the policy of the reservation and the provisions of the Maharashtra Educational Institutions (Reservation in Teachers Cadre) Act, 2021 (for short “Act of 2021”) are applicable to the post of principal. It was further stated that as per Section 2(61) of the Maharashtra Public Universities Act, 2016 (for short “Act of 2016”) the principal is included in the definition of teacher. Similar kind of correspondence was made by the Director with his subordinate officers and to the universities vide letter dated 14.09.2022.

7. It is the grievance of the petitioner that the petitioner was directed to secure verification of roster for the post of principal in both the colleges. After determining the point of roster for the post of principal, the proposal for approval of the advertisement is directed to be submitted to the university. The petitioner claims that the post of principal is an isolated post and it is not amenable to the policy of reservation. The contention of the petitioner is turned down by the respondents vide the communications which are under challenge.

8. It is a matter of record that by letter dated 11.03.2022 university informed that the post of principal in Mahila College has been declared as open to all after verification of roster by the competent authority. However, by representation dated 09.05.2023 the petitioner refused to take steps for the recruitment of the post of principal in the Mahila College as by that time present petition was filed. Therefore, present status is that the post of principal of the Law College is falling vacant on 01.10.2023. The post of principal in the Mahila college has already fallen vacant on 01.05.2022. It is the case of the petitioner that it is facing administrative problems. Besides the petitioner is likely to suffer impediment for NAC accreditation in fourth cycle.

9. The learned counsel for the petitioner has relied upon G. R. dated 05.03.2011, which stipulates the extension of age of superannuation from 58 to 65 years and the modality to be followed for extending the same. Reliance is also placed on G. R. dated 23.11.2011 to show that in pursuance of earlier G. R. dated 05.03.2011 performance review committee has been constituted to assess the performance of principals and teachers of various colleges in the State of Maharashtra. Further, reliance is placed on G. R. dated 23.09.2016, which stipulates that the post of principal is an isolated post in various streams of education and it is open to all and to be filled in on merits.

10. The learned counsel for the respondent No. 1 opposes the petition by filing affidavit in reply. The respondent Nos. 2 to 5 also filed separate affidavits in reply. It is their case that the policy of reservation is applicable to the post of principal especially because of the provisions of the Act of 2021. The post of principal is covered by the definition of 'teachers cadre' as provided in Section 2(o) of the Act of 2021. As per Section 2(61) of the Act of 2016 a principal is a teacher. According to them total sanctioned posts in all the colleges run by the same management are to be taken into consideration for providing reservation for the post. The notification issued under Section 3(1) of the Act of 2021 is for implementation of the reservation policy. The G. R. dated 11.04.2022 is made applicable for the post of principal. According to them G. R. dated 23.09.2016 may not help the petitioner as it has been superseded by the Act of 2021.

11. It is the case of the respondent Nos. 2 to 5 that the object of applying reservation policy to the post of principal is to provide equal opportunity to the unrepresented and backward class candidates to officiate the post. If post of principal is not made amenable to the reservation policy then the purpose of Act of 2021 would be frustrated.

12. It is relevant to quote relevant provisions of the statute which are necessary to adjudicate the controversy involved in the petition.

A] The Maharashtra Public Universities Act 2016

1.

2. In this Act, unless the context otherwise requires,—

(1)

(2)

(61) "teacher" means full-time approved professor, associate professor, assistant professor, reader, lecturer, librarian, principal, Director of an institution, Director of Knowledge Resource Centre, Director of Centre of Lifelong Learning and Extension, deputy or assistant librarian in the university, college librarian, Director or instructor of physical education in any university department, conducted, affiliated or autonomous college, autonomous institution or department or recognized institution of the university;

**B] The Maharashtra Educational Institutions
(Reservation in Teachers' Cadre) Act of 2021**

1.

2. In this Act, unless the context otherwise requires,—

(a)

(b)

(o) "teachers' cadre" means a class of all the teachers of an Educational Institution, regardless of the branch of study or faculty, who are remunerated at the same grade of pay, excluding any allowance or bonus.

3. (1) Notwithstanding anything contained in any other law for the time being in force, there shall be reservation of posts in direct recruitment out of the sanctioned strength in teachers' cadre in an Educational Institution to the extent and in the manner as may be specified by the State Government by notification in the Official Gazette.

(2) For the purpose of reservation of posts, an Educational Institution shall be regarded as one unit.

13. It is necessary to refer to notification dated 07.04.2022 issued under Section 3(1) of the Act of 2021. The relevant portion of Clause 1 and Clause 1(vii) reads as under :

"1. All sanctioned posts in teacher's cadre (in the same scale of pay) in all subjects in the Educational Institutions established, maintained or aided by the State Government, shall be combined and the cadre-wise reservation shall be made applicable in the following manner namely :--

- (i)
- (ii)

(vii) In case of Non-Government aided colleges, an institution or college or a group of institutions or colleges maintained by a society or trust or private management body and receiving aid from the State Government, whether directly or indirectly, shall maintain a single roster of all sanctioned posts in teacher's cadre."

14. The G. R. dated 11.04.2022 stipulates the implementation of the reservation policy as per the Act of 2021. The modalities are prescribed for determining the reservation category wise for recruitment and procedure to be adopted.

15. Before addressing the issue, it is necessary to state the admitted facts which are as follows :

(a) Both the colleges of the petitioner impart education in different streams of education and have independent post of principal. One of which has already fallen vacant and another is

to fall vacant in the near future.

(b) The petitioner is not permitted to recruit the post of principal directly.

(c) The existence of the Government Resolutions and notification are not disputed.

16. We have considered the rival submissions advanced by the learned counsels for the respective parties. We are called upon to address an issue whether the reservation policy and the provisions of Act of 2021 are applicable to the post of principal in a college which is an isolated post.

17. Section 2(61) of the Act of 2016 provides definition for teachers. Going by the definition the principal is within its ambit. It is a common knowledge that a principal is essentially a teacher but has to discharge additional administrative duties. Principal is administrative head. He is representative of the college to the university, department of education, to the public at large, etc. The grade pay of the principal is distinct from the grade pay of the teacher. Considering the duties to be discharged by the principal, he is placed on a highest pedestal. There is no equal grade pay for the principal and other teachers.

18. The learned advocate for the petitioner has tried to point out that the scale or the grade pay of the professor is higher than a principal which is a paradox. For the adjudication of this

matter, we need not go into the controversy whether grade of the principal is more or less than the professor. However, it can surely be seen that scale of a principal is different than the scale of a professor also. The rest of the teaching staff is subordinate to the principal. Now the post of principal has been made a tenure post. The Government Resolution dated 23.11.2011 stipulates that there is separately constituted performance review committee for extending age of superannuation to a principal. Principal cannot be a post at par with other teachers.

19. Though by Section 2(o) of the Act of 2021, definition of a teacher covers a principal, that is to be understood in the sense of the duties to be performed as teaching or non teaching member. In that limited sense a principal is included in the class of these persons. The definition in Section 2(o) of the Act of 2021 cannot be construed to mean that the principal is at par with the teachers for all other purposes especially the reservation. It is seen that the qualification, eligibility, age of retirement and certain service conditions of a principal are distinct than a teacher which includes lecturer, assistant professor, professor, etc. In that view of the matter also the principal stands on a different footing.

20. In order to ensure adequate representation of the reserved categories in the direct recruitment in the teachers cadre in the educational institutions the Government considered it expedient to enact a law. Section 2(o) of the Act of 2021 defines 'teachers cadre' with a qualification that they are to be remunerated at the

same grade of pay. In other words, if there is different grade of pay then an incumbent may not be covered by teachers' cadre. The same can be said to be a condition precedent because the same qualifying clause is also adopted in a notification issued U/ Sec. 3(1) of the Act of 2021. As stated earlier clause 1 starts with the words "All sanctioned posts in a teachers cadre (in the same scale of pay) in all subjects in the educational institutions established, maintained or aided by the State Government"..... The principal though is a teacher does not get same grade of pay. The post cannot be included in a teachers' cadre.

21. It is worthy to note the provisions of Section 3(1) of the Act of 2021. It starts with a non-obstante clause. The provisions of Act of 2021 are made applicable notwithstanding anything contained in any other law. Therefore, the contention of the respondents that the definition of Section 2(61) of the Act of 2016 covers the principal and he should be regarded as part and parcel of teachers' cadre is not correct. Section 3(1) of the Act of 2021 gives overriding effect to the provisions of Act of 2021 over the Act of 2016.

22. Act of 2016 mainly pertains to establishment of universities, its functionaries, affiliated colleges, etc. It does not deal with the policy of the reservation, the modalities to be followed and the category wise reservation, etc. The Act of 2021 has the object of applying the reservation policy subject wise in the relevant teachers' cadre in the educational institutions in the

State. It seeks to provide the extent and the manner of the reservation in direct recruitment. The object and the purpose for which it is enacted is distinct from object and purpose of the Act of 2016. We are of the view that Act of 2021 is a special Act for the purpose of reservation and it prevails over the Act of 2016.

23. It is expedient to refer to the judgment of the Supreme Court in the matter of **Kaushalya Rani Vs. Gopal Singh** reported in **AIR 1964 SC 260**. Paragraph No. 07 of the above judgment is worth to be followed. Same is reproduced as under :

“(7) It has been observed in some of the cases decided by the High Courts that the Code is not a special or a local law within the meaning of S. 29(2) of the Limitation Act, that is to say, so far as the entire Code is concerned, because it is a general law laying down procedure, generally, for the trial of criminal cases. But the specific question with which we are here concerned is whether the provision contained in S. 417(4) of the Code is a special law. The whole Code is indeed a general law regulating the procedure in criminal trials generally, but it may contain provisions specifying a bar of time for particular class of cases which are of a special character. For example, a Land Revenue Code may be a general law regulating the relationship between the revenue-payer and the revenue- receiver or the rent-payer and the rent-receiver. It is a general law in the sense that it lays down the general rule governing such relationship, but it may contain special provisions relating to bar of time, in specified cases, different from the general law of limitation. Such a law will be a 'special law' with reference to the law generally governing the subject-matter of that kind of relationship. A 'special law', therefore, means a law enacted for special cases, in special circumstances, in contradistinction to the general rules of the law laid down, as applicable generally to all cases with which the general law deals. In that sense,

the Code is a general law regulating the procedure for the trial of criminal cases, generally; but if it lays down any bar of time in respect of special cases in special circumstances like those contemplated by S. 417(3) & (4), read together, it will be a special law contained within the general law. As the Limitation Act has not defined 'special law', it is neither necessary nor expedient to attempt a definition. Thus, the Limitation Act is a general law laying down the general rules of limitation applicable to all cases dealt with by the Act; but there may be instances of a special law of limitation laid down in other statutes, though not dealing generally with the law of limitation. For example, rules framed under Defence of India Act, vide S. M. Thakur v. The State of Bihar ILR 13 Pat 126 : AIR 1951 Pat 462); Canara Bank Ltd. v. The Warden Insurance Co., ILR (1952) Bom 1083 : (AIR 1953 Bom 35) dealing with the special rule of limitation laid down in the Bombay Land Requisition Act (Bom. XXXIII of 1948). These are mere instances of special laws within the meaning of S. 29(2) of the Limitation Act. Once it is held that the special rule of limitation laid down in sub-sec. (4) of S. 417 of the Code is a 'special law' of limitation, governing appeals by private prosecutors, there is no difficulty in coming to the conclusion that S. 5 of the Limitation Act is wholly out of the way, in view of S. 29(2) (b) of the Limitation Act."

24. The special Act always prevails over the general Act. We are of the view that Act of 2021 being special act would prevail over the Act of 2016. Therefore, definition of Section 2(61) of the Act of 2016 will not help the respondents to bring principal within the sweep of 'teacher' or 'teachers' cadre'.

25. Pertinently, the differential treatment given by qualifying clause in definition to 2(o) of Act of 2021 is also reflected in the provisions of G. R. dated 11.04.2022. Clause A of the said G. R. reads as follows :

अ) संवर्गनिहाय आरक्षणाची परिगणना :-

- १) शासन अधिसूचना दि. ०७.०४.२०२२ मध्ये विहित केलेल्या तरतुदीनुसार प्रत्येक विद्यापीठातील तसेच एकाच व्यवस्थापनाच्या नियंत्रणाखालील सर्व महाविद्यालयांतील अध्यापक संवर्गातील (समान वेतनश्रेणीतील) सर्व विषयांतील मंजूर पदे एकत्रित करण्यात यावीत.
- २) संवर्गनिहाय आरक्षण हे संवर्गातील एकूण मंजूर पदांची संख्या विचारात घेऊन प्रचलित आरक्षण धोरणातील विहित टक्केवारीनुसार निश्चित करण्यात यावे. तसेच समांतर आरक्षणासंदर्भात शासनाच्या प्रचलित आदेशानुसार कार्यवाही करण्यात यावी.
- ३) संवर्गातील एकूण मंजूर पदे व कार्यरत पदे विचारात घेऊन संवर्गाची बिंदुनामावली पदांच्या गोषवा-यासह विहित नमुन्यात ठेवण्यात यावी. तदनंतर महाराष्ट्र शैक्षणिक संस्था (अध्यापक संवर्गातील आरक्षण) अधिनियम, २०२१ नुसार संवर्गनिहाय आरक्षण हे संवर्गातील एकूण मंजूर पदांच्या संख्येस लागू होणार असल्याने त्याप्रमाणे बिंदुनामावलीची तपासणी करून शासन निर्णय दि. १८.१०.१९९७ मधिल तरतुदीनुसार रिक्त पदांचे प्रवर्गनिहाय आरक्षण निश्चित करण्यात यावे व सदर बिंदुनामावलीस सक्षम प्राधिकरणाची मान्यता घेणे बंधनकारक राहिल.

Translation of the above portion in English is as under :

A) Calculation of Caste wise Reservation :

- 1) As per the provisions prescribed in the Government Notification dated 07.04.2022 the sanctioned posts in all disciplines in the teaching staff(in the same pay scale) in each university as well as in all the colleges under the control of same management should be consolidated.
- 2) Caste wise reservation should be determined as per the percentage prescribed in the prevailing

reservation taking into consideration the total numbers of sanctioned posts in the same cadre. Also action should be taken as per the prevailing orders of the Government regarding the parallel reservation.

- 3) Taking into consideration the total sanctioned posts and working posts in the same cadre, the point list of the cadre should be kept in the prescribe format along with the summary of posts. After that as per the Maharashtra Educational Institutions (Reservation in Teaching Cadre) Act, 2021 cadre wise reservation will be applied in the total number of sanctioned posts in the cadre. Also as per the Government Notification dated 18.10.1997 the category wise reservation of vacant post shall be fixed and approved by the competent authority shall be mandatory for the said list.

26. This provision corroborates the proposition that the posts which are of equal grade pay are covered by teachers' cadre and consequentially reservation policy is applicable to only those.

27. So far as the application of reservation policy to the single isolated post is concerned the law is settled in view of the decision of the Supreme Court in the case of **Post Graduate Institute of Medical Education and Research, Chandigarh Vs. Faculty Association** reported **(1998) 4 SCC 01**. Paragraph No. 34 of the above judgment reads thus :

34. In a single post cadre, reservation at any point of time on account of rotation of roster is bound to bring about a situation where such a single post in the cadre will be kept reserved exclusively for the members of the backward classes and in total exclusion of the general members of the public. Such total exclusion of general members of the public and cent percent reservation for the backward classes is not permissible within the constitutional frame work. The decisions of this Court to this effect over the decades have

been consistent.

28. While considering an issue of applying policy of reservation to an isolated post, it is relevant to note guidelines of the Supreme Court in the following cases.

- (i) Dr. Chakradhar Paswan Vs. State of Bihar and others reported in AIR 1988 SC 959. Para No. 16 of the judgment reads thus :

“**16.** It is quite clear after the decision in Devadasan’s case that no reservation could be made under Art. 16(4) so as to create a monopoly. Otherwiese, it would render the guarantee of equal opportunity contained in Arts. 16(1) and 16(2) wholly meaningless and illusory. These principles unmistakably lead us to the conclusion that if there is only one post in the cadre, there can be no reservation with reference to that post either for recruitment at the initial stage or for filling up a future vacancy in respect of that post. A reservation which would come under Art. 16(4), pre-supposes the availability of at least more than one post in that cadre.”

- (ii) R. R. Inamdar Vs. State of Karnataka and others reported in (2020) 2 SCC 8. Para Nos. 3 and 8 of this judgment read thus :

3. At the outset, it would be necessary to note that the decision of the two-Judge Bench of this Court in K Govindappa (supra), which has been followed by the learned Single Judge as well as by the Division Bench in appeal, dealt with the issue as to whether all posts of Lecturers taken together constituted a cadre for the purpose of reservation or whether a solitary post of Lecturer in History which was not interchangeable with other posts constituted a separate cadre. The High Court held that the post of a Lecturer in History could not be

construed to be a cadre together with all other posts of Lecturer. This Court noted that the Constitution Bench in *Post Graduate Institute of Medical Education and Research v Faculty Association*² had approved the view in *Dr. Chakradhar Paswan v State of Bihar*³ to the effect that there could be no reservation in respect of a single post. This was, however, sought to be distinguished by the State in *K Govindappa* (supra). This Court held:

"22. While there can be no difference of opinion that the expressions "cadre", "post" and "service" cannot be equated with each other, at the same time the submission that single and isolated posts in respect of different disciplines cannot exist as a separate cadre cannot be accepted. In order to apply the rule of reservation within a cadre, there has to be plurality of posts. Since there is no scope of inter- changeability of posts in the different disciplines, each single post in a particular discipline has to be treated as a single post for the purpose of reservation within the meaning of Article 16(4) of the Constitution. In the absence of duality of posts, if the rule of reservation is to be applied, it will offend the constitutional bar against 100% reservation as envisaged in Article 16(1) of the Constitution." (emphasis supplied)

The Court held that the case fell within the category of a single or isolated post within a cadre in respect of which the rule of reservation was inapplicable. In other words, each discipline which consisted of a single post was required to be dealt with as a separate cadre for the said discipline, particularly, having regard to the fact that the several disciplines were confined only to one college.

8. We are unable to accept the submission for more than one reason. The circular dated 31 May 1991 is prior to the decision of the Constitution Bench in *Post Graduate Institute of Medical Education and Research* (supra). As a matter of fact, the circular is prior to the decision in *K Govindappa* (supra) as well. The principle which has been enunciated by this Court is that there can be no reservation of a solitary post and that in order to apply the rule of reservation within a cadre, there must be a plurality of posts. Where there is no interchangeability of the posts

in different disciplines, each single post in a particular discipline has to be treated as a single post for the purpose of reservation within the meaning of Article 16(4) of the Constitution. If this principle were not to be followed, reservation would be in breach of the ceiling governed by the decisions of this Court. A circular, of the nature that has been issued by the State of Karnataka, cannot take away the binding effect of the decisions of this Court interpreting the policy of reservation in the context of Article 16(4).

29. In view of the interpretation of different clauses and the reasons assigned above there is no merit in the contention that G. R. dated 23.09.2016 is superseded or enervated by the Act of 2021. The G. R. dated 23.09.2016 still holds the field and applies with full force. It excludes the isolated post from applicability of reservation policy. We are of the view that the posts of principals rendering services in colleges are not covered by the reservation policy. It is immaterial that multiple colleges are run by the same institution. Being an isolated post, the principles laid down in above referred judgments apply with full force.

30. The letters issued by the respondent No. 1 dated 11.03.2022 calling upon the petitioner to get the roster verified first before proceeding with the selection for the post of principal is unsustainable in law. The correspondence dated 04.05.2022 holding that the reservation policy is applicable to the post of principal and directing the colleges to get examined the roster from the competent authority is patently illegal and liable to be quashed and set aside. We further do not approve the letter dated 14.09.2022 issued by the Director of Education holding that the post of principal is covered by Act of 2021 and provisions

of reservation are applicable to it. The communication dated 24.06.2022 is consequential and it is in the form of opinion or explanation which also cannot survive after quashment of the above referred correspondences.

31. So far as prayer No. 22(B) of the memo of the petition is concerned, the learned counsel for the petitioner has not made any submissions. Therefore, we have not considered the said prayer. The petitioner has challenged the explanation which is at Exhibit – H. No submissions are made by the learned counsel for the petitioner in that regard. As such, we do not propose to consider it.

32. For the reasons stated above, we are inclined to allow the petition as follows :

A. The writ petition is partly allowed.

B. The impugned letter dated 11.03.2022 issued by the respondent No. 1, letter dated 04.05.2022 issued by the respondent No. 5, letter dated 14.09.2022 issued by the respondent No. 3 are quashed and set aside.

C. It is hereby declared that the posts of principals in the colleges run by the petitioner institution are not governed by the policy of reservation and the provisions of the Act of 2021.

D. The respondents are hereby directed to process the proposal of the petitioner for approving advertisement and

granting permission to recruit the posts of principals by following due procedure of law as early as possible and in any case within a period of two (02) weeks from today.

E. The rule is made absolute in above terms. There shall be no order as to costs.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

bsb/Aug.23