





#### महाराष्ट्र भारान

### तंत्र शिक्षण विभागीय कार्यालय, पुणे

४१२/ख, तिसरा मजला, तंत्रशिक्षण मंडळाची नवीन इमारत, बहिरट पाटील चौक, शिवाजी गगर, मुणे - ४११ ०१६

દૂરધ્વની ક્રમાંય (૦૨૦) રવદ્દવદ્દર૪, Web: www.ropune.org.in

Email: ropune@dtemaharashtra.gov.in

जा.क्र.तंशिविकापु/आस्था-२अ/परिपत्रक-तक्रार/२०२५/ 33 9

दिनांक:

29 JAN 2025

परिपत्रक :-

विषय:- विभागाच्या अधिनस्त संस्था व महाविद्यालय यांचेशी संबंधित नसलेल्या अर्जदाराकडून प्राप्त झालेल्या अर्जावर करावयाच्या कार्यवाहीबाबत......

संदर्भ :-तंत्रशिक्षण संचालनालयाचे पत्र क्र.डीटीईएम-डी१६/३०/२०२५-डेक्स १६ दि.२८.०१.२०२५

संदर्भिय विषयाच्या अनुषंगाने परिपत्रकाचे अवलोकन करावे, या विभागाकडे तसेच विभागांतर्गत येणा-या शैक्षणिक संस्था/ विद्यापीठे/ महाविद्यालय यांचेकडे त्यांच्याशी संबंधित नसलेल्या व्यक्तीकडून संस्थेविषयी / विद्यापीठ / कर्मचा-यांविरूध्द केलेल्या तक्रारीचे अर्ज प्राप्त होत असतात, अशा तक्रार अर्जाबाबत करावयाच्या कार्यवाही करीता मा.उच्च न्यायालय येथे दाखल रिट याचिका क्रमांक २४९२ / २०२४ मध्ये दिनांक २३.१०.२०२४ रोजी न्यायनिर्णय दिला असून सदर निर्णयाची प्रत सोबत जोडली आहे.

याबाबत या विभागाच्या अधिनस्त शासकीय व अशासकीय पदव्युत्तर पदवी, पदवी, पदविका व तत्सम संस्थाना कळविण्यात येत आहे.

सोबत:- वरील प्रमाणे.

(डॉ दत्तम्त्रय व्यं.जाधव) सहसंचालक, तंत्रशिक्षण विभागीय कार्यालय, पुणे.

प्रति,

संस्था प्रमुख, या कार्यालयाच्या अधिनस्त सर्व शासकीय व अशासकीय पदव्युत्तर पदवी, पदवी, पदविका व तत्सम संस्था.

्रमतः या कार्यालयातील प्रोग्रॅमर यांना सदरचे परिपत्रक या कार्यालयाच्या संकेतस्थळावर प्रदर्शित करणेसाठी.



# तंत्रशिक्षण संचालनालय, महाराष्ट्र राज्य



३, महापालिका मार्ग, पत्र पेटी क्र.१९६७, मुंबई ४०० ००१. दूरध्वनी क्र.०२२-६८५९७४३६/४७६,

ई-मेल-<u>desk9६@dtemaharashtra.gov.in,</u>वेबसाईट: http://www.dtemaharashtra.gov.in



क्रमांक : DTEM-D9६/३०/२०२५-DESK9६

दिनांक:

प्रति,

सहसंचालक,

- १) तंत्रशिक्षण विभागीय कार्यालये,मुंबई, पुणे, नाशिक, छत्रपती संभाजीनगर, अमरावती व नागपूर.
- २) संचालक, महाराष्ट्र राज्य तंत्रशिक्षण मंडळ, मुंबई.
  - विषय:- विभागाच्या अधिनस्त संस्था व महाविद्यालय यांचेशी संबंधित नसलेल्या अर्जदाराकडून प्राप्त झालेल्या अर्जावर करावयाच्या कार्यवाहीबाबत..
  - संदर्भ:- उच्च व तंत्रशिक्षण विभागाचे पत्र क्र. संकिर्ण-२०२४/HTED-२०११/३३/२०२४-MHT/समन्वय, दिनांक १६.०१.२०२५

उपरोक्त विषयाबाबत संदर्भिय शासन पत्राच्या अनुषंगाने आपणास कळविण्यात येते की, आपल्या विभगाकडे तसेच विभागांतर्गत येणा-या शैक्षणिक संस्था/ विद्यापीठे/ महाविद्यालय यांचेकडे त्यांच्याशी संबंधित नसलेल्या व्यक्तीकडून संस्थेविषयी / विद्यापीठ/ कर्मचा-यांविरुध्द केलेल्या तक्रारीचे अर्ज प्राप्त होत असतात. अश्या तक्रार अर्जाबाबत करावयाच्या कार्यवाही करीता मा. उच्च न्यायालय येथे दाखल रिट याचिका क्र. २४९२/२०२४ मध्ये दिनांक २३.१०.२०२४ रोजी न्यायनिर्णय दिला असून सदर न्यायनिर्णय दिला असून सदर न्याय निर्णयाची प्रत सोबत जोडली आहे.

याबाबत आपल्या अधिनस्त शासकीय व अशासकीय पदव्युत्तर पदवी, पदवी, पदविका व तत्सम

संस्थांना आपल्या स्तरावरुन कळविण्यात यावे.

तंत्रशिक्षण विभागीय कार्यालय पूर्णः 2 9 JAN 2025

आवक क्र..... 610

माहिती व पुढील कार्यवाहीसाठी

कार्यासन अधिकारी, कार्यासन क्र. ४, ४-अ व १२

Signed by Vinod Mahadeorao Mohitkar Date: 28-01-2025 18:00:02 (डॉ. विनोद म. मोहितकर) संचालक,

तंत्रशिक्षण संचालनालय म. रा., मुंबई.





### महाराष्ट्र शासन

## उच्च व तंत्र शिक्षण विभाग, मंत्रालय विस्तार, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक, मुंबई-४०० ०३२



Email ID:- do.asthahte-mh@ gov.in

क्रमांक:- संकीर्ण-२०२४/ HTED-2011/33/2024-MHT /समन्वय कक्ष दिनांक :- १६.०१.२०२४ प्रति,

- आयुक्त, राज्य सामाईक प्रवेश परीक्षा कक्ष, ८ वा मजला, न्यू एक्सलिसअर इमारत, ए. के. नायक मार्ग, फोर्ट, मुंबई-४०००११.
- २. सचिव, प्रवेश नियामक प्राधिकरण, ८ वा मजला, न्यू एक्सलिसअर इमारत, ए. के. नायक मार्ग, फोर्ट, मुंबई-४०००११.
- ३. संचालक, महाराष्ट्र राज्य तंत्रशिक्षण मंडळ, ४९, खेरवाडी, वांद्रे (पू), मुंबई-४०००५१.
- ४. संचालक, (उच्च शिक्षण/तंत्र शिक्षण/कला/ग्रंथालय), महाराष्ट्र राज्य, मुंबई/पुणे.
- ५. कुलसचिव, उ. व तं. शि विभागातंर्गंत येणारी विद्यापिठे
- ६. संचालक, (उच्च शिक्षण/तंत्र शिक्षण/कला/ग्रंथालय), महाराष्ट्र राज्य, मुंबई/पुणे.
- ७. कुलसचिव, डॉ. बाबासाहेब आंबेडकर तंत्रशास्त्र विद्यापिठ, लोणेरे, ता. माणगांव, जि. रायगड.

विषय – विभागाच्या अधिनस्त संस्था व महाविद्यालय यांच्याशी संबंधित नसलेल्या अर्जदारांकडून प्राप्त झालेल्या अर्जावर करावयाच्या कार्यवाहीबाबत.

संदर्भ - मा.उच्च न्यायालय, मुंबई येथील रिट याचिका क्रमांक २४९२/ २०२४ या प्रकरणी दिलेल्या दिनांक २३.१०.०२४ चा न्यायनिर्णय .

महोदय,

उच्च व तंत्र शिक्षण विभाग व शालेय शिक्षण विभागाकडे तसेच या विभागांतर्गत येणाऱ्या शैक्षणिक संस्था / विद्यापीठे / महाविद्यालय यांच्याकडे त्यांच्याशी संबंधित नसलेल्या व्यक्तीकडून संस्थेविषयी / विद्यापीठ / कर्मचाऱ्यांविरुद्ध केलेल्या तक्रारीचे अर्ज प्राप्त होत असतात. अश्या तक्रार अर्जाबाबत करावयाच्या कार्यवाही करीता मा. उच्च न्यायालय येथे दाखल रिट याचीका क्र. २४९२/२०२४ मध्ये दिनांक २३.१०.२०२४ रोजी न्यायनिर्णय दिला असून सदर न्याय निर्णयाची प्रत सोबत जोडली आहे.

मा. न्यायालयाच्या सदर निर्णयातील परिच्छेद ५ ते १० मध्ये खालील वावी नमूद केले आहेत.

- 4. Time and again, we have cautioned the State Authorities not to entertain the applications filed by social workers or bystanders or persons unconnected with the organization and who have not suffered any personal legal injury.
- §. In several cases, we have noticed that the persons describing themselves as social workers, lodge complaints against teachers and professors working in Schools, Colleges and Universities and hold out threats to the education department to compel them to commence roving inquiries against such employees. We have directed that such complaints should not be entertained. In some matters, we have also held that, Writ Petitions filed by such persons who intend to settle a personal score or pray for roving inquiries, should not be entertained.
- 9. The learned Senior Advocate appearing for the Petitioners submits that Respondent No. 4 herein, has lodged several complaints against the Petitioner Institution and has also started filing RTI applications seeking personal information about the employees and the management of the Institution, though he is completely unknown and unconnected with the institution.
- C. Respondent No. & Dr. Bhausaheb B. Chavan, who is the Deputy Director of Education, Nashik, has tendered an affidavit in reply from page 909, along with several documents, upto page 949. He has tendered an apology and has categorically stated that the impugned orders and the impugned notices issued by him, stand withdrawn, forthwith. He further submits that after noticing several orders passed by this Court, which have been referred to herein above, he has stopped entertaining the complaints filed by strangers or bystanders and would not entertain such complaints anytime in future.
- §. We were contemplating suo moto action against Respondent No.ξ, since we find that though he was aware of our earlier orders referred to in the above paragraphs, for reasons best known to him, he has wholeheartedly entertained the applications of Respondent No. 
  § and has highhandedly issued an order to register an FIR against one senior member of the Management to register. Management.
- 9o. Respondent No. 4 appears to be habituated to holding out threats of self immolation, before various Deputy Directors of Education. Some of such complaints are placed before us by Respondent No. ξ, along with his affidavit in reply. These threats are aimed at terrorising the Government Officials. In view of

such circumstances, we permit Respondent No.ξ to lodge police complaints against Respondent No.ς, whenever he holds out a threat of self-immolation or any such precipitative action or threat of fasting, etc., more so, in the light of the judgment delivered by this Court [Coram: Abhay S Oka (as His Lordship then was) and Sandeep K Shinde, JJ], on 92.92.2092, in Writ Petition no. 2929 of 2092 Balasaheb vitthalroa tidke v/s The state and another at the principal seat

मा. उच्च न्यायालयाने दिलेल्या न्यायनिर्णयाबाबत आपल्या अधिनस्त संस्था /महाविद्यालय यांना अवगत करावी, ही विनंती.

आपला,

(विशाल ताटे)

कक्ष अधिकारी, महाराष्ट्र शासन

प्रत,

१. मा. अप्पर मुख्य सचिव, उच्च व तंत्र शिक्षण विभाग, यांचे स्वीय सहायक, मंत्रालय, मुंबई.

२. निवड नस्ती (समन्वय कक्ष्).

### **Chief Secretary Office**

Please peruse a letter received from the Registrar (Judicial-I), High Court, Appellate Side, Bombay, dated 14.11.2024 communicating the order of the Hon'ble High Court dated 23.10.2024 passed in Writ Petition No. 2492/2024, (Nishant Namdeorao Gatkal and Anr. -Versus- The State of Maharashtra and Ors.) received on 27.11.2024.

The Hon'ble High Court, vide order dated 23.10.2024, has interalia observed and directed as follows.-

- "5. Time and again, we have cautioned the State Authorities not to entertain the applications filed by social workers or bystanders or persons unconnected with the organization and who have not suffered any personal legal injury.
- 6. In several cases, we have noticed that the persons describing themselves as social workers, lodge complaints against teachers and professors working in Schools, Colleges and Universities and hold out threats to the education department to compel them to commence roving inquiries against such employees. We have directed that such complaints should not be entertained. In some matters, we have also held that, Writ Petitions filed by such persons who intend to settle a personal score or pray for roving inquiries, should not be entertained.
- 7. The learned Senior Advocate appearing for the Petitioners submits that Respondent No. 5 herein, has lodged several complaints against the Petitioner Institution and has also started filing RTI applications seeking personal information about the employees and the management of the Institution, though he is completely unknown and unconnected with the institution.
- 8. Respondent No. 6 Dr.Bhausaheb B. Chavan, who is the Deputy Director of Education, Nashik, has tendered an affidavit in reply from page 101, along with several documents, upto page 155. He has tendered an apology and has categorically stated that the impugned orders

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न्द्रायम् वासन्, महाराष्ट्र शासन्, and the impugned notices issued by him, stand withdrawn, forthwith. He further submits that after noticing several orders passed by this Court, which have been referred to herein above, he has stopped entertaining the complaints filed by strangers or bystanders and would not entertain such complaints anytime in future.

- 9. We were contemplating suo moto action against Respondent No.6, since we find that though he was aware of our earlier orders referred to in the above paragraphs, for reasons best known to him, he has wholeheartedly entertained the applications of Respondent No. 5 and has highhandedly issued an order to register an FIR against one senior member of the Management.
- 10. Respondent No.5 appears to be habituated to holding out threats of self immolation, before various Deputy Directors of Education. Some of such complaints are placed before us by Respondent No.6, along with his affidavit in reply. These threats are aimed at terrorising the Government Officials. In view of such circumstances, we permit Respondent No.6 to lodge police complaints against Respondent No.5, whenever he holds out a threat of self-immolation or any such precipitative action or threat of fasting, etc., more so, in the light of the judgment delivered by this Court [Coram: Abhay S Oka (as His Lordship then was) and Sandeep K Shinde, JJ], on 12.12.2018, in Writ Petition no. 8987 of 2018 (Balasaheb Vitthalrao Tidke v/s The State and another), at the Principal seat.
- 14. We direct the Registrar (Judicial) to place a copy of this order before the Chief Secretary of the State of Maharashtra, as well as, the Principal Secretaries, General Administration Department and the School and College Education Department, in order to issue strict directions to all the Education Departments and the Statutory Authorities to refrain from entertaining such complaints/applications/representations or of threats, by unconnected people, more so, in view of the Notification dated 3rd December 1958, the Circular dated 26th December, 2019 and the Government Resolution dated 14th October, 2019 referred to herein above."

Considering the directions passed by the Hon'ble High Court issued vide order dated 23.10.2024, referred hereinabove, the General Administration Department may be requested to issue strict directions to all the Statutory Authorities, as well as the School Education Department and the Higher & Technical Education Department may be requested to issue strict directions to all the officers/authorities under these departments, to refrain from entertaining complaints/applications/ representations or threats, by unconnected people, more so, in view of the Notification dated 03.12.1958, the Circular dated 26.12.2019 and the Government Resolution dated 14.10.2019.

A copy of the directions issued by the departments (GAD, School Education and Higher & Technical Education) shall be forwarded to the Chief Secretary Office.

Submitted for approval.

ACS (GAD) (Services)

PS (Sch. Edu.)

PS (Hig. & Tech. Edu)

Tel & Fax. No. 022-22673619 (O) Email: rgjudl-bhc@nic.in

O.W. No. R (J-1)/603/2024 Date: 14<sup>th</sup> November 2024

From:

H. M. BHOSALE
Registrar(Judicial–I),
High Court, Appellate Side, Bombay.

To,

- 1. The Chief Secretary, State of Maharashtra, Mantralaya, Mumbai.
- 2. The Principal Secretary
  General Administration Department
  Mantralaya, Mumbai.
- 3. The Principal Secretary, School and College Education Department, Mantralaya, Mumbai.

Subject: Compliance of directions issued by the Hon'ble Court in Civil Writ Petition No. 2492 of 2024 vide order dated 23<sup>rd</sup> October 2024.....

Sir,

Apropos the subject, Civil Writ Petition No. 2492 of 2024 (Nishant Namdeorao Gatkal & Anr. Vs. The State of Maharashtra & Ors. ) was listed before the Hon'ble Court (Coram: Ravindra V. Ghuge and M. M. Sathaye, JJ) on 23<sup>rd</sup> October 2024. The Hon'ble Court is pleased to pass the order dated 23<sup>rd</sup> October 2024.

I am further to state that in the said order, the Hon'ble Court has issued directions to your goodselves

In turn, I am directed to forward the copy of the said order dated 23<sup>rd</sup> October 2024 to your goodselves for necessary action at your end.

Accordingly, I am enclosing herewith a copy of the said order dated 23<sup>rd</sup> October 2024, which is self explanatory, with a request to do the needful as per the directions of the Hon'ble Court.

Yours faithfully,

Registrar (Judicial-I)

Encl : Copy of order dated 23/10/2024

# THE HIGH COURT OF JUDICATURE AT BOMBAY CIVIL APPELLATE JURISDICTION

#### WRIT PETITION NO. 2492 OF 2024

Nishant Namdeorao Gatkal and Another

Petitioners

versus

The State of Maharashtra and Others

Respondents

Mr.Narendra V. Bandiwadekar, Senior Advocate with Mr.Vinayak Kumbhar, Mr.Rajendra B. Khaire and Mr.Aniket S. Phapale i/b. Ms.Ashwini N.Bandiwadekar for the Petitioners.

Mr. Vikas M. Mali, AGP for Respondent Nos. 1 to 3-State.

Ms.Ronita Bhattacharya Bector for Respondent No.5.

Mr. Akshay S. Karlekar for Respondent No.6.

Dr.Bhausaheb B.Chavan, Deputy Director, Nashik Division present in person.

CORAM: RAVINDRA V. GHUGE &

M.M. SATHAYE, JJ.

DATE: 23RD OCTOBER, 2024

P.C .:

1. On 18th October, 2024, we had passed the following order:

"1. A glaring conduct of Dr. B. B. Chavan, Deputy Director of Education, Nashik Division, Nashik and his repeated disobedience of the High Court's orders, practically showing signs of overbearing the majesty of law, is prima facie indicated through the records before us. It is in this backdrop that we are permitting the Petitioners to add Dr. B. B. Chavan,

Deputy Director of Education, Nashik Division, Nashik as Respondent No. 6 in this proceeding.

- 2. The learned AGP submits that he would take appropriate instructions and advise Dr. B. B. Chavan, Deputy Director of Education, Nashik Division, Nashik to remain present before the Court, on 22/10/2024.
- 3. The order dated 05/07/2024, placed before us, is marked as "X-1" for identification.
- 4. In the meanwhile, the order dated 28/12/2023 and order dated 05/07/2024, passed by Dr. B. B. Chavan, Deputy Director of Education, Nashik Division, Nashik shall stand stayed. travel and tours
  5. Stand over to 22/10/2024, at 2.30 P.M.".
- 2. The learned Senior Advocate for the Petitioners, relies upon the following judgments/orders delivered by this Court, at the Principal seat and at the Aurangabad Bench:-
  - (i) Judgment dated 8<sup>th</sup> December, 2023 delivered by this Court at Aurangabad in Writ Petition No. 7740 of 2021 (Sandeep Chudaman Shinde and Another V/s. The State of Maharashtra and Others);
  - (ii) Order dated 13<sup>th</sup> September, 2024 delivered by this Court at Aurangabad in Writ Petition No. 9740 of 2024 (Vaishali Prakash Upasani alias Vaishali Pravin Deshpande and Others Versus The State of Maharashtra and Others);
  - (iii) Order dated 16<sup>th</sup> July, 2024 delivered by this Court at Aurangabad in Writ Petition No. 7230 of 2024 (Kashinath Rajaram Patil and Others Versus

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The State of Maharashtra, through Its Principal Secretary and Others);

- (iv) Order dated 6<sup>th</sup> August, 2024 delivered by this Court at Aurangabad in Writ Petition No. 4893 of 2024 (Pratidnya Trimbakrao Chavan and Others Versus The State of Maharashtra through Its Secretary and Others);
- (v) Order dated 23<sup>rd</sup> June, 2021 delivered by this Court at Aurangabad in *Writ Petition No. 5973 of 2020* (Hemraj Jagannath Fegade Versus The State of Maharashtra and Others).
- (vi) Order dated 01<sup>st</sup> August, 2024 delivered by this Court at Aurangabad in Writ Petition no. 7964 of 2024 (Vikas Dharma Sonawane and others Versus The State of Maharashtra and Others).
- October, 2019 issued by the General Administration Department, Mantralaya, State of Maharashtra, directing all concerned not to entertain complaints or applications received from those who have no connection with any institution or through agents etc., He further points out a Circular issued by the Commissionerate of Education, Maharashtra State, dated 26th December, 2019 specifically issuing instructions that the applications regarding personal grievances should be accepted only from persons who are themselves aggrieved and not through agents or strangers. He also relies upon a Notification dated 3rd December, 1958 which introduced the Rules for the preparation, submission and disposal

of the applications to the Government.

- 4. We have considered the submissions of the learned Advocates for the respective sides, including the learned Advocate representing Respondent No.5, original Complainant.
- 5. Time and again, we have cautioned the State Authorities not to entertain the applications filed by social workers or bystanders or persons unconnected with the organization and who have not suffered any personal legal injury.
- 6. In several cases, we have noticed that the persons describing themselves as social workers, lodge complaints against teachers and professors working in Schools, Colleges and Universities and hold out threats to the education department to compel them to commence roving inquiries against such employees. We have directed that such complaints should not be entertained. In some matters, we have also held that, Writ Petitions filed by such persons who intend to settle a personal score or pray for roving inquiries, should not be entertained.
- 7. The learned Senior Advocate appearing for the Petitioners

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submits that Respondent No. 5 herein, has lodged several complaints against the Petitioner Institution and has also started filing RTI applications seeking personal information about the employees and the management of the Institution, though he is completely unknown and unconnected with the institution.

- 8. Respondent No. 6- Dr.Bhausaheb B. Chavan, who is the Deputy Director of Education, Nashik, has tendered an affidavit in reply from page 101, along with several documents, upto page 155. He has tendered an apology and has categorically stated that the impugned orders and the impugned notices issued by him, stand withdrawn, forthwith. He further submits that after noticing several orders passed by this Court, which have been referred to herein above, he has stopped entertaining the complaints filed by strangers or bystanders and would not entertain such complaints anytime in future.
- 9. We were contemplating *suo moto* action against Respondent No.6, since we find that though he was aware of our earlier orders referred to in the above paragraphs, for reasons best known to him, he has wholeheartedly entertained the applications of Respondent No.5 and has highhandedly issued an order to register an FIR against one senior

member of the Management.

- threats of self immolation, before various Deputy Directors of Education. Some of such complaints are placed before us by Respondent No.6, along with his affidavit in reply. These threats are aimed at terrorising the Government Officials. In view of such circumstances, we permit Respondent No.6 to lodge police complaints against Respondent No.5, whenever he holds out a threat of self-immolation or any such precipitative action or threat of fasting, etc., more so, in the light of the judgment delivered by this Court [Coram: Abhay S Oka (as His Lordship then was) and Sandeep K Shinde, JJ], on 12.12.2018, in Writ Petition no. 8987 of 2018- (Balasaheb Vitthalrao Tidke v/s The State and another), at the Principal seat.
- 11. The learned Advocate representing Respondent No.5, graciously submits that she has already advised Respondent No.5 to refrain from indulging in such acts, hereinafter.
- 12. Considering that Respondent No.6 has recalled the impugned orders, as well as, the order dated 05.7.2024, this Writ Petition

is disposed off. Needless to state, the salary bills of the Petitioners, which are not generated or not accepted for ten months, shall be generated and acted upon, forthwith, by the concerned, for payment of arrears and regular monthly payments.

- 13. Considering the unconditional apology tendered by Dr. B.B. Chavan, we would render a quietus to the said issue.
- 14. We direct the Registrar (Judicial) to place a copy of this order before the Chief Secretary of the State of Maharashtra, as well as, the Principal Secretaries, General Administration Department and the School and College Education Department, in order to issue strict directions to all the Education Departments and the Statutory Authorities to refrain from entertaining such complaints/applications/representations or of threats, by unconnected people, more so, in view of the Notification dated 3<sup>rd</sup> December 1958, the Circular dated 26<sup>th</sup> December, 2019 and the Government Resolution dated 14<sup>th</sup> October, 2019 referred to herein above.

(M.M. SATHAYE, J.)

(RAVINDRA V. GHUGE, J.)