

jsn

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5476 OF 2026

Shri Bhairavnath Lokseva Pratishtan ...Petitioners
Chinchani, Tq. Shirur, Dist. Pune & Anr.

Digitally
signed by
JITENDRA
SHANKAR
NIJASURE
Date:
2026.08.25
14:07:43
+0530

Versus

The State of Maharashtra

...Respondents

WITH
WRIT PETITION NO.5477 OF 2026
WITH
WRIT PETITION NO.5478 OF 2026
WITH
WRIT PETITION NO.7678 OF 2026
WITH
WRIT PETITION NO.5504 OF 2026
WITH
WRIT PETITION NO.5539 OF 2026
WITH
WRIT PETITION NO.7677 OF 2026
WITH
WRIT PETITION NO.5836 OF 2026
WITH
WRIT PETITION NO.5809 OF 2026
WITH
WRIT PETITION NO.6004 OF 2026
WITH
WRIT PETITION NO.6003 OF 2026
WITH
WRIT PETITION NO.7683 OF 2026
WITH
WRIT PETITION NO.6347 OF 2026
WITH
WRIT PETITION NO.10599 OF 2026
WITH
WRIT PETITION (ST) NO.13029 OF 2026
WITH
WRIT PETITION (ST.) NO.13031 OF 2026

WITH
WRIT PETITION NO.7681 OF 2026
WITH
WRIT PETITION NO.6286 OF 2026
WITH
WRIT PETITION NO.6288 OF 2026
WITH
WRIT PETITION NO.6290 OF 2026
WITH
WRIT PETITION NO.6292 OF 2026
WITH
WRIT PETITION NO.6297 OF 2026
WITH
WRIT PETITION NO.6273 OF 2026
WITH
WRIT PETITION NO.6278 OF 2026
WITH
WRIT PETITION NO.6281 OF 2026
WITH
WRIT PETITION NO.6293 OF 2026
WITH
WRIT PETITION NO.6287 OF 2026
WITH
WRIT PETITION NO.6511 OF 2026
WITH
WRIT PETITION NO.6510 OF 2026
WITH
WRIT PETITION NO.6509 OF 2026
WITH
WRIT PETITION NO.6516 OF 2026
WITH
WRIT PETITION NO.6508 OF 2026
WITH
WRIT PETITION NO.6514 OF 2026
WITH
WRIT PETITION NO.6518 OF 2026
WITH
WRIT PETITION NO.6517 OF 2026
WITH
WRIT PETITION NO.6513 OF 2026
WITH

WRIT PETITION NO.6512 OF 2026
WITH
WRIT PETITION NO.7303 OF 2026
WITH
WRIT PETITION NO.7304 OF 2026
WITH
WRIT PETITION NO.7305 OF 2026
WITH
WRIT PETITION NO.7306 OF 2026
WITH
WRIT PETITION NO.7312 OF 2026
WITH
WRIT PETITION NO.7311 OF 2026
WITH
WRIT PETITION NO.7316 OF 2026
WITH
WRIT PETITION NO.7307 OF 2026
WITH
WRIT PETITION NO.7315 OF 2026
WITH
WRIT PETITION NO.7314 OF 2026
WITH
WRIT PETITION NO.7335 OF 2026
WITH
WRIT PETITION NO.7317 OF 2026
WITH
WRIT PETITION NO.7322 OF 2026
WITH
WRIT PETITION NO.7318 OF 2026
WITH
WRIT PETITION NO.7989 OF 2026
WITH
WRIT PETITION NO.7940 OF 2026
WITH
WRIT PETITION NO.7942 OF 2026
WITH
WRIT PETITION NO.10287 OF 2026
WITH
WRIT PETITION NO.10912 OF 2026
WITH

WRIT PETITION NO.6001 OF 2026
WITH
WRIT PETITION NO.10915 OF 2026
WITH
WRIT PETITION NO.10946 OF 2026
WITH
WRIT PETITION NO.10913 OF 2026
WITH
WRIT PETITION NO.10923 OF 2026
WITH
WRIT PETITION NO.10922 OF 2026
WITH
WRIT PETITION NO.10944 OF 2026
WITH
WRIT PETITION NO.10921 OF 2026
WITH
WRIT PETITION NO.10919 OF 2026
WITH
WRIT PETITION NO.10950 OF 2026
WITH
WRIT PETITION NO.10939 OF 2026
WITH
WRIT PETITION NO.10904 OF 2026
WITH
WRIT PETITION NO.10907 OF 2026
WITH
WRIT PETITION NO.10910 OF 2026
WITH
WRIT PETITION NO.10911 OF 2026
WITH

WRIT PETITION NO.11023 OF 2026
WITH
WRIT PETITION NO.10909 OF 2026
WITH
WRIT PETITION NO.10908 OF 2026
WITH
WRIT PETITION (ST.) NO.12875 OF 2026
WITH
WRIT PETITION NO.9168 OF 2026 (On production board)

Mr. Vidyasagar Bhawe i/by Talekar & Associates, Adv. For the Petitioner.

Mr. Arvind Ambetkar, Adv. For the Petitioner in WP 5476/2026 A/W CIVIL WP 5477/2026, CIVIL WP 5478/2026, WP 5504/2026, WP 5539/2026, WP 5809/2026, WP 9168/2026.

Mr. Akshay Karlekar, Adv. For the Petitioner in WP ST 13029/2026, WP ST 13031/2026.

Mr. Abhijit Aher i/by Mr. Suyash Khose, Adv. For the Petitioner in WP 7677/2026 a/w WP 7678/2026, WP 7683/2026, WP 7681/2026, WP 7940/2026, WP 7942/2026.

Mr. P. H. Gaikwad a/w Mr. S. V. Gavand, Adv. For the Respondent - (ZP Pune) in WP 7318/2026, WP 6512/2026.

Mr. P. P. Kakade, Additional GP a/w Smt. P. J. Gavhane, AGP for the State/Respondent in WP 6511/2026 a/w WP 6510/2026, WP 6509/2026, WP 6516/2026.

Mr. P. P. Kakade, Additional GP a/w Ms. Priyanka Chavan, AGP for the State/Respondent in WP 5476/2026 a/w WP 5477/2026, WP 5428/2026, WP 7618/2026, WP 5836/2026, WP 5809/2026, WP 6004/2026.

Mr. P. P. Kakade, Additional GP a/w Smt. Vaishali Nimbalkar, AGP for the State/Respondent in WP 5504/2026, WP 5539/2026, WP 7677/2026, WP 6003/2026.

Mr. P. P. Kakade, Additional GP a/w Smt. G. R. Raghuwanshi, AGP for the State/Respondent in WP 7683/2026 a/w WP 6347/2026, WP 10599/2026, WP ST 13031/2026.

Mr. P. P. Kakade, Additional GP a/w Mr. S. H. Kankal, AGP for the State/Respondent in WP 7681/2026 a/w WP 6286/2026, WP 6288/2026, WP 6290/2026.

Mr. P. P. Kakade, Additional GP a/w Smt. Savina Crasto, AGP for the State/Respondent in WP 6292/2026 a/w WP 6297/2026.

SR. NO. 27

Mr. Vidyasagar Bhave i/by Talekar & Associates, Adv. For the Petitioner.

Mr. P. P. Kakade, Additional GP a/w Smt. Vaishali Nimbalkar, AGP for the State/Respondent in WP 10912/2026, WP 6001/2026, WP 10915/2026, WP 10946/2026, WP 10910/2026, WP 10911/2026.

Mr. P. P. Kakade, Additional GP a/w Ms. Priyanka Chavan, AGP for the State/Respondent in WP 10913/2026 a/w WP 10923/2026, WP 10922/2026, WP 10944/2026, WP 10907/2026.

Mr. P. P. Kakade, Additional GP a/w Smt. P. J. Gavhane, AGP for the State/Respondent in WP 10921/2026 a/w WP 10919/2026, WP 10956/2026, WP 10939/2026, WP 10904/2026.

Mr. P. P. Kakade, Additional GP a/w Mr. V. G. Badgujar, AGP for the State/Respondent in WP 11023/2026 a/w WP 10909/2026.

SR. NO. 39

Mr. Vidyasagar Bhave i/by Talekar & Associates, Adv. For the Petitioner.

Mr. S. H. Kankal, AGP for the State/Respondent.

**CORAM : R.I. CHAGLA AND
FIRDOSH P POONIWALLA, JJ.
DATE : 24TH AUGUST 2026.**

1. By these Writ Petitions, there is a challenge to Government Resolutions dated 1st April 2026 and 2nd April 2026 by which the Respondents – State had disqualified the Petitioners – Primary, Secondary and Higher Secondary School from receiving grant-in-aid from the State of Maharashtra, in view of these schools

failing to satisfy norms of assessments and directed them to submit applications under the provisions of the Maharashtra Self-Finance Schools (Establishment and Regulation) Act, 2012 (“Self Finance Act”) on or before 30th April 2026. A further direction was issued under the said resolutions that in case the managements/schools failed to submit their applications on or before 30th April 2026, their recognition shall stand cancelled automatically and the students in such schools will be absorbed into nearby grant-in-aid schools or other schools run by local authorities.

2. There were a batch of Writ Petitions viz. Writ Petition No.1932 of 2026 along with companion Writ Petitions which had come up before this Court (Circuit Bench at Kolhapur) and in those Petitions, the very same Government Resolutions dated 1st April 2026 and 2nd April 2026 were under challenge. The Court upon being satisfied that the action taken under the impugned Government Resolutions dated 1st April 2026 and 2nd April 2026 for closing down the aforesaid Petitioners schools, was without granting them an opportunity of hearing and thus in violation of the principles of natural justice. This was held upon considering the law laid down by the Supreme Court in *S.G. Jaysinghani vs. Union of India*¹.

¹ AIR 1967 SC 1427.

3. Accordingly, this Court (Circuit Bench at Kolhapur) had held the said Government Resolutions not to be applicable to the extent of the Petitioners and the Respondent – State was directed to delete the names of Petitioner – Institutions from the list of the schools which was published along with said Government Resolutions. It was further clarified that the Petitioners would continue their respective schools and no action as contemplated under the Government Resolutions dated 1st April 2026 and 2nd April 2026 could be initiated against them in the matter. The batch of Writ Petitions had accordingly been disposed of in these terms.

4. The judgment of this Court (Circuit Bench at Kolhapur) dated 29th April 2026 in the aforesaid batch of Petitions viz. Writ Petition No.1932 of 2026 along with companion Writ Petitions has been followed by this Court (Bench at Aurangabad) wherein there was the same challenge to the Government Resolutions dated 1st April 2026 and 2nd April 2026 on the ground of violation of principles of natural justice viz. not granting the Petitioners schools opportunity of hearing.

5. In view of the above Petitions filed before this Court, raising the same challenge to the Government Resolutions dated 1st April 2026 and 2nd April 2026 by which the Petitioners schools have been closed down without granting them opportunity of hearing, we pass a similar order as has been passed by this Court (Circuit Bench at Kolhapur) and (Bench at Aurangabad).

6. Upon expressing our view, Mr. Kakade, the learned Additional Government Pleader appearing of the State states on instructions that the Respondent – State will grant a hearing to the Petitioners and the hearing will be fixed shortly. The statement is accepted.

7. In view of the above statement, we declare that the action taken under the impugned Government Resolutions dated 1st April 2026 and 2nd April 2026 of closing down the Petitioners - primary, secondary and higher secondary schools without granting a opportunity of hearing is in violation of principles of natural justice. These Government Resolutions are accordingly held not to be applicable to these Petitioners.

8. The Respondent – State is directed to delete the names of the Petitioners – Schools from the list of the schools which was published along with the Government Resolutions dated 1st April 2026 and 2nd April 2026.

9. In respect of the hearing being granted, as per the aforesaid statement on behalf of the Respondent – State, we direct the Respondent – State to issue notice to the Petitioners to appear on the scheduled date. The decision taken by the Respondent – State in respect of the Petitioners schools shall be communicated to the Petitioners schools within a period of one week from the taking of the decision which shall be in accordance with law.

10. Needless to mention that the Petitioners - schools would continue their respective schools and no action as contemplated under the Government Resolutions dated 1st April 2026 and 2nd April 2026 shall be initiated against them.

11. Writ Petitions are accordingly disposed of on these terms. There shall be no Order as to costs.

[FIRDOSH P. POONIWALLA, J.]

[R.I. CHAGLA J.]