

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9441 OF 2014

Chaitanya Prabhu Shikshan Prasarak
Mandal and Anr. .. Petitioners
V/s
The State of Maharashtra & Ors. .. Respondents

WITH

WRIT PETITION NO. 9442 OF 2014

Rural Education Society, Mirajgaon & Anr. .. Petitioners
V/s
The State of Maharashtra & Ors. .. Respondents

WITH

WRIT PETITION NO. 9443 OF 2014

Rural Education Society, Mirajgaon & Anr. .. Petitioners
V/s
The State of Maharashtra & Ors. .. Respondents

WITH

WRIT PETITION NO. 9444 OF 2014

Rural Education Society, Mirajgaon & Anr. .. Petitioners
V/s
The State of Maharashtra & Ors. .. Respondents

WITH

WRIT PETITION NO. 9445 OF 2014

Tasgaon Taluka Shikshan Prasarak Mandal
& Anr. .. Petitioners
V/s
The State of Maharashtra & Ors. .. Respondents

WITH
WRIT PETITION NO. 9446 OF 2014

Suvan Shikshan Va Samaj Vikas Adivasi Sanstha, Bardipada & Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 9447 OF 2014

Sant Krupalshingh Shaishanik Sanstha, Shevali & Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 9448 OF 2014

Lonkhede Gramvidhayak Va Shikshan Mandal, Lonkhede & Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 9704 OF 2014

Shri Sati Devi Public Trust, Boris & Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 9705 OF 2014

Kakad Macchindra Maruti & Ors.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 9706 OF 2014

Meri Kendra Shikshan Prasarak Co-op. Mandal & Ors.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 9707 OF 2014

Meri Kendra Shikshan Prasarak Co-op. Mandal & Ors.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 10081 OF 2014

Gaonkari Parivartan Aani Sanshodhan Pratishthan Ors.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 10082 OF 2014

Rashtriya Samaj Seva Shikshan Sanstha and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 10083 OF 2014

Kai. Yashwant Baliram Patil Shikshan Prasarak Mandal, Talai and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 10084 OF 2014

New English School, Nimgaon	..	Petitioner
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 10085 OF 2014

Rajashri Ahilyabai Holkar Education Institute and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 10371 OF 2014

Kai. Kum. Sawapnaja Education Society and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 11348 OF 2014

The Buddhist Philosophy Center, Dhule and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 11349 OF 2014

Shivshail Pratishthan, Ahmednagar and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 11350 OF 2014

Navbharat Shikshan Sanstha and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 11355 OF 2014

Laxman Shikshan Sanstha & Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION NO. 11356 OF 2014

Gramvikas Va Shikshan Prasarak Mandal and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

WITH
WRIT PETITION (L) NO. 33788 OF 2014

Chaitanya Prabhu Shikshan Prasarak Mandal and Anr.	..	Petitioners
V/s		
The State of Maharashtra & Ors.	..	Respondents

Mr. S.S. Pakale with Mr. Avinash R. Belge for the petitioners.
Mr. A.B. Vagyani, Government Pleader with Mr. V.B. Thadani, A.G.P
for the respondents.

**CORAM: MOHIT S. SHAH, C.J. &
B.P. COLABAWALLA, J.**

DATE : 7 JANUARY 2015

P.C.:

These writ petitions raise similar issues as were raised in Writ Petition No. 8478 of 2013 which was disposed of by our order dated 16 July 2014 read with order dated 6 August 2014. The said orders have been subsequently modified by our order passed today in Civil Application No.2367 of 2014. Following the aforesaid orders read with aforesaid modification, we dispose of this batch of writ petitions in the same terms, that is to say in terms of the following directions/clarifications:-

- (i) The directions contained in para 6(iii) and (v) for releasing the salary grant under the Government Resolution dated 15 November 2011 shall not apply till the Director of Education takes a decision in the matter which shall be done within 6 weeks from today.
- (ii) It is clarified that if an institution is found to be eligible to receive grant under the Government Resolution dated 15 November 2011, it shall not be denied the grant on the ground of not following the reservation policy prior to the date of making the application for the grant under the Government Resolution dated 15 November 2011.

- (iii) If in light of the above directions and clarifications the authorities take any tentative decision to issue a show cause notice for rejecting the application of the concerned school managements, the show cause notice shall be issued within 3 weeks from today giving an opportunity to the school managements to reply and to file documentary evidence after receipt of the show cause notice and the Director of Education shall give them personal hearing and take a decision within 3 weeks thereafter.
- (iv) If no show cause notice is issued to the school management within 3 weeks from today, the authorities shall release the grant in their favour within 6 weeks from today.
- (v) Liberty to apply in case of difficulty.

CHIEF JUSTICE

(B.P. COLABAWALLA, J.)