

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION No. 6120 OF 2015

The Sindhudurg Diocesan Educational
Trust, Kankavali, through its
President/Secretary Petitioner
vs
The State of Maharashtra, through
the Secretary and ors. Respondents

ALONG WITH
WRIT PETITION No. 6122 OF 2015

The Sindhudurg Diocesan Educational
Trust, Kankavali, through its
President/Secretary Petitioner
vs
The State of Maharashtra, through
the Secretary and ors. Respondents

AND ALONG WITH
WRIT PETITION No. 6123 OF 2015

The Sindhudurg Diocesan Educational
Trust, Kankavali, through its
President/Secretary Petitioner
vs
The State of Maharashtra, through
the Secretary and ors. Respondents

Mr. Prashant Bhavake for the petitioners in all Petitions.
Ms. S.S. Bhende, AGP for respondent/State in all Petitions.

**CORAM: ANOOP V. MOHTA AND
A. A. SAYED, JJ.**

DATE : September 01, 2015

ORDER:

Rule, returnable forthwith. Heard finally by consent.

2 We are inclined to dispose of the present Petitions as Respondent No.3-Education Officer, Zilla Parishad, Sindhudurg, rejected the proposal for approval of appointment of the Petitioners as Shikshan Seveks in Petitioner No.1-School mainly by referring to Government Resolution dated 12 February 2015 which has foundation of Government Resolution dated 23 October 2013 referring to non-teaching staff which, in our view, and even otherwise, is not applicable to Petitioners' cases for such purpose. Therefore, without expressing anything on merits and solely on this ground and by keeping all points open, order dated 13.04.2015 passed by Respondent No.3-Education Officer is quashed and set aside. We direct the Respondents to consider the cases of Petitioners/proposals in accordance with law including the issue with regard to the minority institution as early as possible and preferably within eight weeks. The writ petitions are disposed of,

with liberty.

3 Rule in all the Petitions made absolute accordingly, with liberty.

4 No costs.

(A. A. SAYED, J.)

(ANOOP V. MOHTA, J.)

C E R T I F I C A T E

“ I certify that this Judgment/Order uploaded is a true and correct copy of original signed Judgment/Order.”

Uploaded by :D. G. MURUMKAR, Senior Private

Secretary to Hon'ble Judge

Uploaded on : 02/09/2015