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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8118 OF 2015

Mandesh Education Society & Anr.

..Petitioners

Versus

The State of Maharashtra & Ors.

..Respondents

**WITH
WRIT PETITION NO.8141 OF 2015
WITH
WRIT PETITION NO.8142 OF 2015
WITH
WRIT PETITION NO.8143 OF 2015
WITH
WRIT PETITION NO.6468 OF 2015
WITH
WRIT PETITION NO.6469 OF 2015**

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Mr. S. S. Pakale i/b. Avinash R. Belge for the Petitioners in WP/8118/2015, 6468/2015 & 6469/2015.

Mr. V. B. Thadani, AGP, for the Respondent-State in WP/8118/2015, 6468/2015, 6469/2015 & 8141/2015.

Mr. S. S. Pakale i/b. Shankar Maru Ketkar for the Petitioners in WP/8141/2015, 8142/2015 & 8143/2015.

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**CORAM: MOHIT S. SHAH, C.J. &
A. K. MENON, J.**

DATE : 13 AUGUST 2015.

PC.:

These writ petitions raise similar issues as were raised in writ petition no.8478 of 2013, which was disposed of by the order

dated 16 July 2014 read with order dated 6 August 2014. The said orders have been subsequently modified by the order passed on 7 January 2015 in civil application no.2367 of 2014. Following the aforesaid orders read with aforesaid modification, we dispose of these writ petitions in the same terms, that is to say, in terms of the following directions/ clarifications :

(a) The directions contained in paragraph 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 six weeks from today;

(b) 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 non following the reservation policy prior to the date of making the application for the grant under the Government Resolution dated 15 November 2011;

(c) 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 six 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 six weeks thereafter;

(d) If no show cause notice is issued to the school management within six weeks from today, the authorities shall release the grant in their favour within six weeks from today.

2. The petitions are, accordingly, disposed of.
3. Liberty to apply in case of difficulty.

CHIEF JUSTICE

(A. K. MENON, J.)

wadhwa