

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.631 OF 2016

Bharatratna Dr. Babasaheb
Ambedkar Prabodhan Manch
Versus
...Petitioner

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.1023 OF 2016

Bharatmata Bahuddeshiya Sanstha,
Barshi

Versus

...Petitioner

The State of Maharashtra & Ors. ...Respondents

WITH
WRIT PETITION NO.1103 OF 2016

Shahu Shikshan Sanstha,
Pandharpur.

...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1133 OF 2016**

Dindalitodharak Shri Saint
Gadgebaba Niradhar Balak Seva
Sangh Trust. ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1144 OF 2016**

Unnati Shikshan Prasarak Mandal

Versus

...Petitioner

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1164 OF 2016**

Late Sou. Meenatai Thakare
(Masaheb) Krida, Va Shikshan
Prasarak Mandal, Degaon. ...Petitioner
Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1165 OF 2016**

Solapur Zilla Magas Samaj Seva
Mandal ...Petitioner
Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1217 OF 2016**

Jay Jagdamba Bahuddshiya Sanstha,
Sarjapur. ...Petitioner
Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1215 OF 2016**

Jay Jagdamba Bahuddshiya Sanstha,
Sarjapur. ...Petitioner
Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1213 OF 2016**

Jay Jagdamba Bahuddshiya Sanstha,
Sarjapur. ...Petitioner
Versus

The State of Maharashtra & Ors. ...Respondents

**WITH
WRIT PETITION NO.1138 OF 2016**

Rajeev Smruti Bahuddshiya Sanstha,
Taluka-Barshi. ...Petitioner

Versus

The State of Maharashtra & Ors. ...Respondents

...

Mr. A.R. Rayani for the Petitioners.
Mr. V.M. Mali, A.G.P. for Respondent No.1.
Mr. Vijay Killedar for Respondent Nos.2 and 3.

**CORAM : RANJIT MORE &
SMT. ANUJA PRABHUDESSAI, JJ.**

DATED : 4th JULY, 2016.

P. C. :

Heard the learned counsel appearing for the respective parties.

2. By the separate orders impugned in the above petitions the strength of the students in the hostels run by the Petitioners' Institution is reduced. It is the case of the Respondent-Zilla Parishad that the Deputy Chief Executive Officer has no powers to sanction the increase in the strength of the students in hostel without approval of the State. It is the specific case of the Zilla Parishad that in the above cases the strength of the student was increased under order of Deputy Chief

Executive Officer illegally without there being approval by the State Government. The Zilla Parishad has already initiated action against the said Deputy Chief Executive Officer.

3. The only contention raised by Mr. Rayani, the learned counsel for the Petitioner is that the Deputy Chief Executive Officer could not have reviewed his earlier orders. We do not find any merit in the submission in as much as the earlier order of increasing the strength of students in the hostel vitiated by fraud.

4. Mr. Nagnath Revanshidha Chougule, District Social Welfare Officer, Zilla Parishad, Solapur, filed an affidavit dated 7th April, 2016. In para 7 of the said affidavit following statement is made:-

“I therefore, submit that the Petitioner be directed to submit application seeking sanction to increase in strength of students in the prescribed form and I undertake to pay to forward the proposal within 8 weeks from the date of receipt of such application.”

5. It is clear from this averment that the Petitioners are at liberty file a fresh application for increase in strength of students in hostels in prescribed form.

6. In the above circumstances, we are not inclined to interfere in the petitions, hence the petitions are dismissed.

(ANUJA PRABHUDESSAI, J.)

(RANJIT MORE, J.)