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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 2544 OF 2013

The New Education Society and Ors. ... Petitioners

Versus

The State of Maharashtra and Ors. ... Respondents

Mr. N.V. Bandiwadekar for the petitioners.

Mr. . Mali, AGP for the respondent State.

**CORAM : SHANTANU KEMKAR &
MAKARAND KARNIK, JJ.
DATED : SEPTEMBER 23, 2016.**

P.C.

Rule. Rule is made returnable forthwith.

2. Petitioner has filed this petition challenging the order dated 19.1.2013 Exhibit. P. According to the petitioner, while passing the said order, the Competent Authority did not consider the effect of the circular dated 5.2.1988 (Exhibit. K), the recommendations of the Education Officer, Thane, (Exhibit N) also the judgment passed by this Court in the case of Anjuman Khairul Islam and Ors. Vs. Mrs. Zulekha Mazhar Husssain and Ors reported in **2001 (2) Mh.L.J. 245, Secretary, Lucy Sequeira Trust Mumbai and anr. Vs. Smt. Shshma Pramod Upadhyay and Ors. 2004 (4)**

Mh. L.R. 582. Keeping in view the aforesaid submissions, we are inclined to dispose of this petition by directing respondent no.2 to reconsider the petitioner's claim in view of the aforesaid annexures and the judgments passed by this Court. Let the fresh decision as aforesaid be taken within three months from the date of receipt of copy of this order uninfluenced by the earlier rejection order impugned in this petition. Let the fresh speaking order be passed by the Competent Authority within the time as fixed. Petitioner to appear before respondent no. 2 on 4.10.2016 at 3.00 pm.

3. Petition is disposed of. Rule is made absolute in the aforesaid terms.

4. In view of the above, Civil Application No. 869 of 2016 also stands disposed of.

(MAKARAND KARNIK, J.)

(SHANTANU KEMKAR, J.)