

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5370 OF 2016

Smt. Bavesha Praveen Gurnani ..Petitioner
Versus
The State of Maharashtra through the
Secretary, School Education Department,
Mantralaya, Mumbai – 400 032 and ors. ..Respondents

Mr. Narendra V. Bandiwadekar, advocate for the petitioner.
Mrs. Molina P. Thakur, AGP for the State.

**CORAM : SHANTANU KEMKAR &
RANJIT MORE, JJ.**

DATE : 4th MAY, 2016.

P. C. :

Parties through their counsel.

2. Learned counsel for the petitioner submits that the institution, in which , the petitioner is appointed as Shikshan Sevak is a minority institution. A certificate of the institution as minority institution is filed as “Exhibit A”.

3. Having considered the submissions made by learned counsel for the parties and having gone through the averments made in the petition as also the judgment dated 2nd September, 2013 passed by the Division Bench in the case of **Parbhani Education Society, Parbhani versus the State of Maharashtra in writ petition No.3707of 2013**, we are of the view that the question involved in this

petition has already been considered and decided by this Court vide order dated 31st March, 2016 passed in the case of **Vinod Laxman Shelkar and anr. versus the State of Maharashtra and anr. in writ petition No.2207 of 2016.** In view of the aforesaid, we dispose of the petition in the following terms:

O R D E R

- i) The impugned order is quashed and set aside;
- ii) Respondent No.2 is directed to consider afresh the proposal submitted by respondent No.4 for approval of the appointment of petitioner in the light of the observations made hereinabove.
- iii) Respondent No. 2 shall take decision as expeditiously as possible and, in any case, within a period of four weeks from the date of receipt of a copy of this order.
- iv) The parties shall act upon a copy of this order duly authenticated by the Registry of this Court.

[RANJIT MORE, J.]

[SHANTANU KEMKAR, J.]