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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.8203 OF 2016

Sarvodaya Shikshan Sanstha

.Petitioner

Vs.

The State of Maharashtra & Anr.

..Respondents

Mr. N.V. Bandiwadekar for Petitioner.

Mr. P.G. Shinde, AGP for Respondents.

**CORAM: RANJIT MORE AND
A.S. GADKARI, JJ.**

DATE: 15th JULY 2016

P.C.:-

Heard the learned counsel for the Petitioner and the learned
AGP.

2) By filing this petition, the Petitioner has challenged the Order dated 19 May 2015 passed by the Deputy Director of Education, Kolhapur Region, Kolhapur, rejecting proposal for approval to the appointment of Shri Dattatraya Mahadeo Jundale as Shikshan Sevak in the Petitioner's Institution. The learned counsel for the Petitioner submits that the

Petitioner is a minority Institution. A certificate of the institution as minority institution is filed at 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 Vs. State of Maharashtra in Writ Petition No.3707 of 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 31 March 2016 passed in the case of Vinod Laxman Shelkar and Anr. Vs. The State of Maharashtra & Anr in Writ Petition No.2207 of 2016. In view of the aforesaid, we dispose of the petition in the following terms:

- (i) The impugned order is quashed and set aside;
- (ii) Respondent No.2 is directed to consider afresh the proposal submitted by the Petitioner for approval to the appointment of Shri Dattatraya Mahadeo Jundale as Shikshan Sevak in the Petitioner's institution in the light of the observations made hereinabove.
- (iii) Respondent No.2 shall take decision as expeditiously as possible and preferably 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.

(A.S. GADKARI,J.)

(RANJIT MORE, J.)