

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 10741 OF 2016

Shirur Shikshan Prasarak Mandal .. Petitioner
Vs.
State of Maharashtra and ors. .. Respondents

WITH
WRIT PETITION STAMP NO. 26492 OF 2016

Mr.Bahiram Bandu Ganpat and ors. .. Petitioners
Vs.
State of Maharashtra and ors. .. Respondents

Mr.VA.Shastry, for the Petitioner in WP/10741/2016.
Mr.Amol Gatne, for the Petitioner in WPST/26492/2016.
Mr.Vikas Mali, AGP for State.

CORAM : SHANTANU.S.KEMKAR &
M.S.KARNIK, JJ.
DATE : 23rd SEPTEMBER, 2016

PC. :

Writ Petition Stamp No. 26492 of 2016

. Not on board. Taken on board. We record the undertaking made by the learned Counsel for the petitioner that deficit court fees made good by 26/09/2016.

Order in Both Petitions :

. Parties through their Counsel.

2. By filing these Petitions, the petitioners have challenged the order dated 10/06/2016 annexure 'A-10' passed by the Education Officer(Secondary), Pune Zilla Parishad, Pune. According to the petitioners, while passing the impugned order, the Education Officer has not taken into consideration law laid down by Aurangabad Bench of this Court in the case of **Gajanan s/o Valmik Chavan Vs. The State of Maharashtra and ors.in Writ Petition No. 11868 of 2015 & Writ Petition No. 11869 of 2015 decided on 03/03/2016** and in the case of **Satish Dnyaneshwar Ghodke Vs. State of Maharashtra and ors, 2016 (2) Bom. C.R.331.**

3. On the other hand, learned AGP appearing for the State has supported the impugned order. He, however, submits that in case the matter is sent back to the Education Officer for reconsideration, the Education Officer may be directed to take fresh decision keeping in view aforesaid orders passed by this

Court relied upon by the petitioner as also the order passed by Nagpur Bench of this Court in **Writ Petition No. 6606 of 2015** and other companion matters in the case of **Kum.Sonal Govardhan Tiple and ors. Vs. State of Maharashtra and ors.** decided on 17/06/2016.

4. Having regard to the aforesaid submissions made by the learned Counsel for the parties, we dispose of these Petitions by directing the Education Officer to reconsider the entire matter afresh keeping in view the judgments referred to above and fresh appropriate decision be taken in accordance with law within 2 months from the date of receipt of copy of this order. While taking a fresh decision, the Education Officer shall not be influenced by the earlier impugned orders.

5. Both these Petitions are disposed of. Till fresh decision is taken, status-quo as it exists today shall be maintained by the parties.

(M.S.KARNIK, J.)

(SHANTANU.S.KEMKAR, J.)