

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3884 OF 2016

Ajinkyatara Shikshan Prasarak Mandal & Anr. .. Petitioners
V/s
The State of Maharashtra & Ors. .. Respondents

Mr. Sanjay Shinde with Mr. Yogesh Katira for the petitioners.
Mr. A.B. Vagyani, Government Pleader with Mr. P.P. Kakade, AGP for the State.

**CORAM: DR. MANJULA CHELLUR, CJ. &
M.S. SONAK, J.**

DATE : 19th DECEMBER 2016

P.C.:

The petitioners are before this Court aggrieved by the impugned order dated 9th May 2013 and an undated order at Exhibit “N” attached to the writ petition. So far as the petitioners are concerned, the proposal of the petitioner school is withheld for non-compliance of reservation policy (as per Roster).

2. We are informed that similar writ petitions came to be filed being Writ Petition No. 8478 of 2013 and connected matters which were disposed of by a common order dated 16th July 2014 by a Division Bench, to which one of us was a member. The said judgment was impugned before the Apex Court and the Apex Court has dismissed the SLP on 9th December 2016.

3. If, according to the petitioners, the issue raised in the judgment of the Division Bench at Exhibit “Q” and the issue raised in this writ petition is similar, which is already covered by earlier judgment referred to above, we direct the respondent authorities to consider the representation of the petitioners in the light of observations of the Division Bench in the judgment dated 16th July 2014, if the facts are similar, and consider the proposal of the petitioners. The petitioners are at liberty to furnish a copy of the order of the Apex Court dated 9th December 2016. We direct the respondent authorities to strictly adhere to not only the procedure required but the decision making process in the light of observations of the Division Bench and the Supreme Court, as stated above, if the facts are similar. The exercise has to be completed within 3 months from today.

4. With the aforesaid observations, the writ petition is disposed of.

(M.S. SONAK, J.)

CHIEF JUSTICE