

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 7659 OF 2016

Janseva Prathisthan,
Vita, Tq. Kannad,
District Aurangabad,
through its President
Annasaheb s/o Panditrao Shinde,
Age : 49 years, Occu. Social and
Agriculturist, R/o Vita, Taluka
Kannad, District Aurangabad

PETITIONER

VERSUS

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Secondary),
Zilla Parishad, Aurangabad

RESPONDENTS

AND

WRIT PETITION NO. 7867 OF 2016

Sant Rohidas Shikshan Prasarak
Mandal, Lasur Station, Taluka
Gangapur, Dist. Aurangabad
through its Secretary
Pushpa d/o Sahebrao Borse,
Age : 37 years, Occu. Social work,
R/o N-4, CIDCO, Aurangabad

PETITIONER

VERSUS

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Secondary),
Zilla Parishad, Aurangabad

RESPONDENTS

AND**WRIT PETITION NO. 7868 OF 2016**

Swargawasi Mhalsadevi Shikshan
Sanstha, Nageshwarwadi, Aurangabad
through its Secretary
Shri Changdeo Baburao Autade,
Age : 41 years, R/o Nageshwarwadi,
Aurangabad, Dist. Aurangabad

PETITIONER**VERSUS**

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Secondary),
Zilla Parishad, Aurangabad

RESPONDENTS**AND****WRIT PETITION NO. 7869 OF 2016**

Shingne Bahuddeshiya Shikshan Sanstha,
N-4, Cidco, Aurangabad,
through its Secretary/President,
Bhanudas S/o Sukhdeo Shingane,
Age : 40 years, Occu. Service,
R.O N-4, Cidco, Aurangabad,
Tq. and Dist. Aurangabad

PETITIONER**VERSUS**

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Secondary),
Zilla Parishad, Aurangabad

RESPONDENTS

AND**WRIT PETITION NO. 7872 OF 2016**

Bhumidarshan Samajik Pratisthan
Dhabadgaonkar colony, Taluka. Majalgaon,
Dist. Beed,
Through its Secretary,
Shri. Laxmikant S/o Ramkrishnarao Solanke,
Age : 33 years, Occ. Social Work,
R/o Dhabadgaonkar Colony, Majalgaon,
Dist. Beed

PETITIONER**VERSUS**

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Primary),
Zilla Parishad, Beed

RESPONDENTS**AND****WRIT PETITION NO. 7873 OF 2016**

Sant Rohidas Shikshan Prasarak
Mandal, Lasur Station, Taluka
Gangapur, District Aurangabad,
through its Secretary,
Smt. Pushpa Sarjerao Borse,
Age : 37 years, occu. Social work,
R/o N-4, CIDCO, Aurangabad

PETITIONER**VERSUS**

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Primary),
Zilla Parishad, Aurangabad

RESPONDENTS

AND**WRIT PETITION NO. 7874 OF 2016**

Raje Chattrapati Sevabhavi Sanstha,
Bahirgaon, Tq. Kannad, Dist. Aurangabad
through its Secretary
Smt. Sudarshana w/o Deepak Pawar,
Age : 33 years, occu. Social Work,
R/o Bahirgaon, Taluka Kannad,
District Aurangabad

PETITIONER**VERSUS**

1. The State of Maharashtra
through its Secretary,
Department of School Education,
Mantralaya, Mumbai
2. The Education Officer (Primary),
Zilla Parishad, Aurangabad

RESPONDENTS

Mr. S.R. Choukidar, Advocate for the Petitioners
in all Writ Petitions
Mr. A.R. Kale, A.G.P. for the respondent/State
Mr. S.R. Dheple, Advocate for respondent No. 2
in W.P. Nos. 7873/2016 and 7874/2016

**CORAM : T.V. NALAWADE AND
SANGITRAO S. PATIL, JJ.**

DATE : 14th FEBRUARY, 2017

ORAL JUDGMENT (PER : T.V. NALAWADE, J.) :

Rule, returnable forthwith. With the consent
of the learned counsel for the petitioners and the
learned A.G.P., heard finally.

2. The petitions are filed to challenge the rejection of the proposals submitted by the petitioners for upgradation of the school/s and for starting new schools.

3. The submissions advanced on behalf of the petitioners would show that in a petition bearing ***Writ Petition No. 4324 of 2016 (Adiwasi Gramin Bahu-uddeshiya Shikshan Sanstha, Wardha through its Secretary & others Vs. State of Maharashtra and another)***, decided on 10th January, 2017, the Division Bench of this Court at Nagpur held that the proposals ought to have been considered on their own merits and those could not have been rejected on the ground that the fresh proposals ought to have been filed. This Court directed the respondents to reconsider the proposals.

4. Present Writ Petition Nos. 7659/2016, 7867/2016, 7868/2016 and 7869/2016 are filed seeking direction to the respondents to grant permission for upgradation of the schools, while Writ Petition Nos. 7872/2016, 7873/2016 and 7874/2016 are filed seeking direction to the respondents to grant permission for

starting new schools. All these matters being identical to Writ Petition No. 4324/2016, dealt with by the Division Bench of this Court at Nagpur, referred to above, the similar directions can be given in the present matters also.

5. The Writ Petitions are partly allowed. The proposals submitted by the petitioners for upgradation of the schools or for starting new schools shall be reconsidered by the respondents for the academic year 2017-18 within a period of three months from 1st March, 2017. The parties shall appear before respondent No. 1 on 1st March, 2017 with a copy of this order and copies of their respective proposals. Rule is made absolute in the above terms. The Writ Petitions are disposed of. No costs.

[SANGITRAO S. PATIL]
JUDGE

[T.V. NALAWADE]
JUDGE

npj/WP7659-2016+