

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 3742 OF 2016**

Idea Urdu Madhymik School,
Solapur & Ors.

..Petitioners

Vs

State of Maharashtra & Ors.

..Respondents

Mr. V. S. Deokar with Ms Ujwala Karpe for Petitioners.

Mr. Sandeep Babar – AGP for State.

**CORAM : SHANTANU S. KEMKAR &
M. S. SONAK, JJ.**

DATE : JULY 11, 2017

P.C. :

Not on board. In view of urgency, taken on production board.

2] By filing this petition under Article 226 of the Constitution of India, the petitioners are challenging the order dated 4th June 2015 Exhibit 'F' passed by the respondent no. 1.

3] Today, when the matter came up for hearing, learned counsel for the petitioners submits that question involved in this petition has already been considered and decided by the Division Bench of this Court in the case of **Canossa Society & Anr. vs. Commissioner & Ors.**¹ He also submits that in view of the GR dated 13th July 2016 issued by the State Government, the petitioners case is required to be reconsidered by the said Authority and a decision in terms of the

¹ 2014 (3) Bom. C.R. 556

said GR as also the observations and directions issued by the Division Bench in the case of *Canossa Society* (supra) is required to be taken.

4] Learned AGP submits that the petitioners case will be considered in the light of the GR dated 13th July 2016 as also in the light of the judgment passed by this Court in *Canossa Society* (supra).

5] In the circumstances, as agreed by the learned counsel for the parties, we dispose of this petition by directing the respondent no.1 to reconsider the petitioners claim keeping in view the law laid down by the Division Bench in *Canossa Society* (supra) as also the GR dated 13th July 2016. The decision as may be taken be communicated by the respondent no. 1 to the petitioners.

6] Petitioners to appear before the respondent no. 1 along with copy of the said judgment and GR on 27th July 2017 at 3.00 p.m. The decision as aforesaid be taken by the respondent no. 1 within three months from the date of appearance of the petitioners before the said Authority.

7] With the aforesaid directions, the petition is disposed of.

(M. S. SONAK, J.)

(SHANTANU S. KEMKAR, J.)