

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.8217 OF 2014

Jai Bhavani Shikshan Prasarak Mandal	Petitioner
versus	
State of Maharashtra and others	Respondents

Mr.Sandeep Phatak i/by Mr.Sugandh B. Deshmukh for Petitioner.
Mr.Vikas Mali, AGP, for Respondent nos.1 to 4.
Mr.Prashant S. Hagare for Respondent no.6.
Mr.Sagar A. Joshi for Respondent no.7.

CORAM : SHANTANU S. KEMKAR AND
PRAKASH D. NAIK, JJ.

DATE : 17th January 2017

PC :

1. Heard learned counsel for parties. We have gone through the reply filed by State. As per the stand taken by the State Government in paragraph 7 of its reply, we find that the impugned order has been passed by the Minister in review by granting interim stay to the earlier order dated 27th May 2014.

2. It has been stated that the review petition filed at the instance of Respondent no.6, claiming to be representative of Lakhewadi Gram Panchayat, is pending for decision before the State Government.

3. Learned AGP, on instructions, submits that now the Secretary, School Education Department, Government of Maharashtra, is not

the competent authority to decide the said review petition and the competent authority is the Minister of the said department.

4. Be that as it may, we find that the review petition is pending since 2014.

5. In the circumstances, we dispose of this petition by directing the concerned Minister of the School Education Department (Respondent no.2) to decide the review petition after giving due opportunity of hearing to the parties. The parties to appear before Respondent no.2 Minister on 2nd February 2017 at 3.00 p.m.

6. The Respondent no.2 Minister shall hear the matter on that day or immediately within a week thereafter on the date as may be fixed for that purpose and shall pass a reasoned order in the said review application, as expeditiously as possible, but not later than two weeks thereafter.

7. With the aforesaid direction, the petition is disposed of.

(PRAKASH D. NAIK, J.)

(SHANTANU S. KEMKAR, J.)