

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 10579 OF 2018

**HASHAMI EDUCATION SOCIETY THROUGH SECRETARY
TAYYAB BURHANUDDIN HASHMI**

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

**Advocate for Petitioner : Thombre Chandrakant V.
AGP for Respondents: Mrs.V.N.Patil Jadhav**

..

**CORAM : R.M.BORDE &
MANGESH S. PATIL,JJ.**

DATE : 23/10/2018

PER COURT :-

The petitioner contends that the issue raised in the instant petition is squarely covered by decision rendered by the Division Bench of this Court in the Public Interest Litigation No.18/2012 between Brijmohan Dhirajprasad Mishra V/s State of Maharashtra and others decided on 25/8/2018. The Petition therefore can be conveniently disposed of in terms of the directives recorded in paragraphs no.14 and 15 of the P.I.L. The directives issued by the Division Bench in the above referred matter are reproduced below :

“14] It appears that the State Government and its superior authorities have issued communications to the Education Officers to lodge the criminal cases, the same will have to

be read to mean against the erring institutions and not as a matter of policy against each and every institution. Naturally, the authority while taking the decision upon the show cause notices will consider the explanation given by the petitioners, the records and the orders passed by this court in Public Interest Litigations and also Writ Petition No.4168 of 2012 dated 24/10/2013, and then take a conscious decision upon it.

15] As the show cause notices issued by the respondents are not finally decided we refrain from commenting upon the merits of the same. As the State has initiated further course of action the purpose of the Public Interest Litigations also does not survive. We expect the State to take decision on the show cause notices expeditiously.”

2] The Writ Petition as such stands disposed of in terms of the directives recorded as above.

(MANGESH S. PATIL,J.) (R.M.BORDE,J.)

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