

pdp

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10733 OF 2018

Shri Sant Sena Maharaj Nabhik
Bahu Uddeshiya Samaj Seva
Sanstha, Sapatane

..Petitioner

Vs.

The Secretary,
State Government of Maharashtra and
ors.

..Respondents

Mr. Rajaram V. Bansode for petitioner.
Ms. Nisha Mehra, AGP for respondent nos.1 to 3.

CORAM: PRADEEP NANDRAJOG, CJ. &
N. M. JAMDAR, J.

APRIL 10, 2019.

P.C.

1. Keeping in view the relief sought in the writ petition, there is no requirement to call upon the respondents to file a response to the petition.

2. The petitioner is a Trust registered under the Bombay Trust Act, 1950 and has established a school, named, 'Smt. Ratnaprabhadevi Mohite-Patil Muk Badhir Nivasi Vidyalaya' at Pimpalner, Taluka – Madha, District Solapur with intake capacity of 40 students. The petitioner has a registration granted to it, which was extended from time to time and lastly upto 31 March 2017.

3. Alleging deficiencies, a show cause notice dated 24 April 2017 was issued to the petitioner by the 2nd respondent. Finding the response to the show cause notice to be inadequate, vide order dated 3 May 2017 the registration certificate was cancelled with a direction that for the academic year 2017-18 the petitioner should not admit new students and existing students be accommodated in the nearby special schools.

4. Aggrieved against the cancellation of the registration certificate, petitioner filed an appeal before the Appellate Authority being the Hon'ble Minister for Social Justice and Special Assistance, Maharashtra State, Mumbai. The said appeal was dismissed on 11 October 2017. A Review of the said decision in appeal has been filed by the petitioner.

5. The grievance in the writ petition is that the Review Petition filed under Section 59 of the Rights of Persons with Disabilities Act 2016 has not been taken up for decision and in the interregnum a public notice has been issued inviting applications from non-governmental organizations to transfer and shift the school run by the petitioner.

6. We dispose of the petition directing the Appellate Authority to decide the petitioner's Review Petition seeking review of the order dated 11 October 2017 within four weeks from today.

N. M. JAMDAR, J.

CHIEF JUSTICE