

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

26 WRIT PETITION NO. 9572 OF 2019

PANCHASHIL PRATHMIK VIDYA MANDIR THROUGH
HEADMISTRESS BHARTI RAMBHAU MANIK

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9573 OF 2019

GURU KANHAYYA PRATHAMIK VIDYA MANDIR THROUGH ITS
HEADMISTRESS RITA BHAYYASAHEB SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9574 OF 2019

ADARSH PRATHAMIK VIDYA MANDIR THROUGH ITS
HEADMASTER MANDAKINI SHEKHAR WAGH

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9575 OF 2019

LATE SAU. PADMARAJE KADAMBANDE PRATHAMIK VIDYA
MANDIR THROUGH ITS HEADMISTRESS ASHWINI SHEKHAR
SHINDE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9576 OF 2019

GURUDATTA PRATHAMIK VIDYA MANDIR THROUGH ITS
 HEADMISTRESS YEDBAI RAMA BACCHAV
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9577 OF 2019

KUSUMTAI SURYAWANSHI PRATHAMIK VIDYA MANDIR
 THROUGH ITS HEADMASTER PRAVINKUMAR VINAYAK GAVIT
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9578 OF 2019

SITAMAI PRATHAMIK VIDYA MANDIR THROUGH ITS
 HEADMASTER CHANDRAKANT ARJUN PATIL
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9579 OF 2019

SAKUMAI PRATHAMIK VIDYA MANDIR THROUGH ITS
 HEADMASTER RAVINDRA AADHAR PATIL
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9580 OF 2019

SHRI SANT NARHARI PRATHAMIK VIDYA MANDIR THROUGH
 ITS HEADMISTRESS JAYSHREE SHRIKANT SONAR
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WRIT PETITION NO. 9581 OF 2019

SOW. KAMLABAI D. VISPUTE PRATHAMIK VIDYA MANDIR
 THROUGH ITS HEADMISTRESS CHITRA ATMARAM DEORE
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. A. R. Kale
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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WITH

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28 WRIT PETITION NO.9836 OF 2019

HAZI BADLU SARDAR URDU PRIMARY SCHOOL THROUGH ITS
 HEADMASTER MOHD. KALEEM MOHD. YAQOOB AND ANOTHER
 VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Petitioners : Mr. Pawar Ajay D.
 AGP for Respondents No. 1 to 3 : Mr. S. B. Narwade
 Advocate for Respondent No. 4 : Ms. V. D. Jadhav

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**CORAM: S. V. GANGAPURWALA &
SHRIKANT D. KULKARNI, JJ.**

DATE: 23rd JANUARY, 2020

PER COURT:

1. According to the learned counsel for the petitioners, without notice to the petitioners and without hearing the petitioners the impugned orders of recovery are passed.

2. Ms. Jadhav, learned counsel for respondent no. 4 submits that the petitioners were called for hearing. The respondent / authority has given opportunity of hearing to the petitioners but the petitioners on their own volition did not participate in the hearing. The said statement is disputed by the petitioners.

3. Ms. Jadhav, learned counsel, on instructions of respondent no. 4 submits that respondent no. 4 is ready to give fresh hearing to the petitioners and take decision afresh.

4. In light of that, the petitioners shall appear before respondent no. 4 on 03.02.2020 and

may place all the documents on which they rely before respondent no. 4. The petitioners may give written explanation on the said date. The Education Officer, shall thereafter take decision afresh with regard to the claim of recovery from the petitioners on its own merits, expeditiously and preferably within a period of one (01) month from the date the petitioners appear before him. While taking the fresh decision, the impugned orders would not be an impediment. The same automatically stands set aside as the Education Officer has offered to hear the petitioners afresh and pass fresh orders.

5. Writ Petitions are accordingly disposed of.
No costs.

[SHRIKANT D. KULKARNI, J.]

[S. V. GANGAPURWALA, J.]

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