

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3520 OF 2018

Siddharth Shikshan Sanstha, Astul, Thr. Its Secretary, Tah. Patur, Dist. Akola and ors.

-vs-

The State of Maharashtra, Thr. Its Secretary to the Department of School Education,
Mantralaya, Mumbai and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Anand Parchure, Advocate for petitioner.

Shri S. Ukey, Additional Government Pleader for respondent Nos. 1
and 2.

Shri Ram Karode, Advocate for applicant in CAO No.1450/19

CORAM : A. S. CHANDURKAR AND VINAY JOSHI, JJ.

DATE : FEBRUARY 21, 2020

Civil Application No.1450 of 2019

Considering reasons mentioned in the application which are also evident from the order dated 01/07/2019 the applicant is entitled to the prayer made in Civil Application No.2579/2019. For reasons mentioned in the application the order passed on Civil Application on 01/07/2019 is recalled.

Civil Application No.1450/2019 is allowed and disposed of.

Writ Petition No.3520 of 2018

Heard.

The contention of the learned counsel for the petitioners is that being a minority institution the petitioner Nos.1 and 2 would not be required to obtain prior permission of the Education Officer before advertising the

vacant post and appointing the petitioner No.3.

On the other hand the learned Additional Government Pleader relied upon Government Resolution dated 06/02/2012 and especially Clauses 3 and 4 thereof. He has also referred to the decision in *Kolawana Gram Vikas Kendra vs. State of Gujarat and ors. (2010) 1 SCC 133* in that regard.

On the request made by the learned counsel for the petitioners time of two weeks is granted to substantiate the contentions as sought to be urged.

Put up on 05/03/2020.

JUDGE

JUDGE