

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 7314 OF 2021

Ashutosh Chandrakant Lad ... Petitioner
Versus
The State of Maharashtra and Ors. ... Respondents

WITH

WRIT PETITION NO. 7315 OF 2021

Pratik Subhash Lad ... Petitioner
Versus
The State of Maharashtra and Ors. ... Respondents

Mr. Gaurav Nankar, for the petitioners in both WP
Mr. Vikas Mali AGP for the State in WP No. 7314 of 2021.
Mrs. P.N. Diwan, AGP for State in WP No. 7315 of 2021.

**CORAM: R. D. DHANUKA AND
ABHAY AHUJA, JJ.**

DATE : 1st DECEMBER, 2021.

P.C. :-

1. Mr. Patil, learned counsel for the petitioner on instructions seeks leave to delete respondent nos. 4 and 5. Leave to amend is granted. Amendment to be carried out forthwith.

2. Rule.

3. Mr. Mali learned AGP for the respondent nos.1 and 2, waives service. By consent of parties, petition is heard finally.

4. By these petitions filed under Article 226 of the Constitution of India, the petitioners have impugned order dated 25th September 2021, passed by Deputy Director of Education refusing to enter the name of the petitioners in Shalarth Pranali and issue Sharalath ID to the petitioners. In this case the Management is not a minority institution.

4. It is not in dispute that the issue involved in these two petitions are identical to the issues involved in Writ Petition No. 7296 of 2021 and other connected matters which are disposed of by us today by a separate order.

5. Mr. Mali, learned AGP does not dispute that the order passed by this Court in Writ Petition No. 7296 of 2021 would apply to the facts of this case.

6. We accordingly pass the following order.

- (a) The impugned order dated 29th September 2021 passed by the Deputy Director of Education is quashed and set aside.
- (b) The Deputy Director of Education is directed to enter the name of the petitioners in the Shalarth

Pranali not before expiring of 6 weeks from today and shall release the payment due to the petitioners after four weeks from the date from entering the names of the petitioners in the Shalarth Pranali. This Court has not restrained the State Government from initiating any appropriate action against the erring officer in accordance with law. We have not expressed any views on the merits of the order passed by the Education Officer.

(c) Writ Petition is disposed of in abovesaid terms.

(d) Rule is made absolute. No order as to costs.

7. The parties to act on the authenticated copy of this order.

[ABHAY AHUJA, J.]

[R. D.DHANUKA, J.]