

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

WRIT PETITION NO. 4215 OF 2021

PETITIONERS :-

1.Sainiki Shala Association, Maharashtra Rajya, registration No.MAH-1331/2016, through its Secretary-Shri.Vishwanath Yewduji Mali, R/o.Vidya-Vishwa Building, Wankhede Layout, Buldhana, Tahsil and District Buldhana.

2.Shri.Vilasrao Deshmukh Shikshan, Prasarak Va Bahuuddeshiya Sanstha, Buldhana, registration No.F- 5262/1999, through its President, C/o.Rajiv Gandhi Military School at Kolvad, Tahsil and District Buldhana.

3.Shri.Sanjay Shridhar Pimpale, Aged about 45 years, R/o Near Devi Mandir, Chikhli Road, Buldhana.

...VERSUS...

RESPONDENTS :-

1.The State of Maharashtra, thr. its Chief Secretary, Mantralaya, Mumbai-32.

2.The State of Maharashtra, Department of Tribal Development, Through its Principal Secretary, Mantralaya, Mumbai-32.

3.The State of Maharashtra, Department of School Education, Through its Secretary, Mantralaya, Mumbai-32.

Mr. P. B. Patil, counsel for the petitioners.
Mr. S. M. Ukey, Addl. GP for respondents.

**CORAM : SUNIL B. SHUKRE &
A. L. PANSARE, JJ.**

DATE : 25.10.2021.

ORAL JUDGMENT (Per : Sunil B. Shukre, J.)

1. Heard the learned counsel for the petitioners and learned Addl. GP, who appears by waiving notice for respondents.
2. Rule. Rule made returnable forthwith. Heard finally by consent of the learned counsel appearing for the parties.
3. The grievance of the petitioners is that the decision taken by the Tribal Development Department in closing down the Tribal section created in State Military Schools is arbitrary and against the interest of the Scheduled Tribes across the State and is not accompanied by any good reason.
4. According to learned counsel for the petitioners, the decision so taken is required to be reviewed by the Tribal

Development Department, especially when the earlier decision was jointly taken by Tribal Development Department and Education Department and presently, the decision which affects the interest of the Scheduled Tribes has been taken unilaterally by the Tribal Development Department.

5. We are of the view that since the representations made to both the aforesaid departments on 04.08.2021 are still pending with them, purpose of the petition shall be served, if appropriate directions are issued to these departments.

6. Accordingly, the Writ Petition is partly allowed. The respondent Nos.2 and 3 are directed to decide the representations dated 04.08.2021, in accordance with law, as expeditiously as possible, preferably within four weeks from the date of the receipt of the order.

7. Rule accordingly. No costs.

(A.L.PANSARE, J)

(SUNIL B. SHUKRE,J)