

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

CIVIL APPLICATION NO. 1413 OF 2022

IN

WRIT PETITION NO.1937 OF 2020

The Majlis-E-Madarasa-E-Saifiya and Anr.

-Vs.-

The State of Maharashtra and ors.

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

Court's or Judge's Orders.

Mr Firdos Mirza, counsel for the petitioners
Ms N. P. Mehta, AGP for respondent Nos. 1 to 4
Mr. T. D. Mandlekar, Counsel for applicant in CAW No. 1413 of 22

CORAM : SUNIL B. SHUKRE AND

G. A. SANAP, JJ.

DATED : 16.09.2022

Heard.

2] It is the case of the applicant that except for him, the other appointments can be made and if this is done his appointment shall stand protected. The issue sought to be raised in the petition like this has no bearing upon the prayer made in the petition. The prayer is about grant of permission to fill up the vacant post of full time Teachers and full time Instructors and for such, permission has been refused by the respondent No. 3- The Joint Director of Vocational Education and Training, Amravati on the ground that there is a ban on recruitment. In fact, in number of judgments of this Court, consistent view has been taken that

for a minority institution to make recruitment, ban on recruitment is not applicable. One of such cases is of *Ubhajo Shikshan Sanstha and ors .v/s. State of Maharashtra and ors., Writ Petition No. 2538 of 2021 decided on 16.11.2021*. So, the issue involved in the petition is entirely different and has no relation whatsoever with the cause, as sought to be pursued by this applicant in the present petition.

As such, the application is rejected.

(G. A. SANAP, J.)

(SUNIL B. SHUKRE, J.)

Namrata