

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

940 WRIT PETITION NO.5051 OF 2023

JIJAMATA BALAK ASHRAM THROUGH ITS PRESIDENT
USHA SANJAY RATHOD

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND ANOTHER

...

AND

941 WRIT PETITION NO.5052 OF 2023

SHIKSHAN MAHARSHI DHANRAJ CHAVAN BALGRUHA
TURALI THROUGH ITS SECRETARY RANJEET SHANKAR
JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND ANOTHER

...

AND

943 WRIT PETITION NO.5058 OF 2023

BABURAO NAIK BALGRUHA OMERGA THROUGH ITS
SECRETARY RANJEET SHANKAR JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND ANOTHER

...

AND

947 WRIT PETITION NO.5078 OF 2023

SHRI SEWALAL MAHARAJ BALSADAN KANTEKUR
THROUGH ITS PRESIDENT GOPAL THAVRU CHAVAN

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND ANOTHER

...

AND

3 WRIT PETITION NO.5137 OF 2023

(Not on the Board. Taken on the Production Board)

SAVITRIBAI PHULE BALSADAN RUN BY NAIK
CHARITABLE TRUST THROUGH PRESIDENT SURAJ
GANPAT CHAVAN

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND ANOTHER

...

AND

4 WRIT PETITION NO.5138 OF 2023

(Not on the Board. Taken on the Production Board)

BALAJI BALAK ASHRAM RUN BY NAIK CHARITABLE
TRUST, THR ITS PRESIDENT

VERSUS

THE STATE OF MAHARASHTRA THR ITS PRINCIPAL
SECRETARY,AND ANR

...

AND

5 WRIT PETITION NO.5139 OF 2023

(Not on the Board. Taken on the Production Board)

SAVITRIBAI PHULE BALSADAN ADDL RUN BY NAIK
CHARITABLETRUST THROUGH PRESIDENT SURAJ
GANPAT CHAVAN

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
PRINCIPAL SECRETARY AND ANOTHER

...

AND

6 WRIT PETITION NO.5140 OF 2023

(Not on the Board. Taken on the Production Board)

CHHATRAPATI SHIVAJI MAHARAJ BALSADAN RUN BY
VASANT CHARITABLE TRUST, THR ITS PRESIDENT
VERSUS
THE STATE OF MAHARASHTRA THR ITS PRINCIPAL
SECRETARY AND ANR

...

AND
9 WRIT PETITION NO.5148 OF 2023
(Not on the Board. Taken on the Production Board)

MATOSHRI HIRABAI BAHUUDDESHIYA SEVABHAVI
SANSTHA THROUGH ITS SECRETARY ANKUSH
NAMDEO JADHAV
VERSUS
THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Advocates for the Petitioners : Shri Vinod B. Jadhav and Shri
Shri Vijay A. Dhakne, in the respective petitions.
AGP for the Respondents/State : Shri V.M. Kagne

...

**CORAM : RAVINDRA V. GHUGE
&
SANJAY A. DESHMUKH, JJ.**

DATE :- 02nd May, 2023

Per Court :-

1. The Writ Petitions at Sr.Nos.3 to 6 and 9 on the Production Board, were not on the daily cause list. Being identical, on the request of the learned Advocates for the Petitioners and by consent, are taken on the Production Board.
2. The Petitioners are identically placed Educational

Institutions and have put forth identical prayer clauses. Prayer clauses B and C in the first Writ Petition No.5051/2023 read as under:-

- “B) *Issue a writ of mandamus or writ in the nature of mandamus, the respondents may kindly be directed to decide the proposal of the petitioner within stipulated time for grant of registration certificate pursuant to the order dated 08.09.2021 passed in Writ Petition No. 7821 of 2021 with other connected matters.*
- C) *Pending the hearing and final disposal of this Writ Petition, the respondents may kindly be directed to issue provisional registration certificate in favor of the petitioner pursuant to the order dated 08.09.2021 passed in Writ Petition No. 7821 of 2021 with other connected matters.”*

3. It is pointed out that the coordinate Bench of this Court has delivered a judgment dated 8.9.2022 in Writ Petition No.7832 of 2011 filed by ***Mother Teresa Balakashram vs. State of Maharashtra and others*** at Aurangabad. Considering the view taken in the said judgment, this Court has passed an order on 10.10.2022 in Writ Petition No.10317 of 2022 filed by ***Rajeshre Shahu Bahuuddeshiya Gramin Vikas Sanstha vs. The State of Maharashtra and others.***

4. The learned AGP submits that he would not argue against the law laid down by this court. The learned advocates

for the Petitioners submit that the directions issued in the above referred orders can be made applicable to these cases as the proposals of the petitioners, seeking renewal of license, are pending.

5. Considering the above, we are reproducing the order/ direction of this Court, passed in Mother Teresa (supra) and Rajeshree Shahu Bahuuddeshiya Gramin Vikas Sanstha (supra), as under:-

- “4. In view of the above, both these writ petitions are disposed off.
5. Needless to state, respondent No.2 shall initiate steps to take a decision on the proposals of the petitioners and in the event of any shortcomings, he would grant time to the petitioners to rectify the shortcomings. After such rectification, the petitioners would approach respondent No.2 with the rectified proposals within four weeks and thereafter, respondent No.2 would take a final decision on the proposals within sixteen (16) weeks from today.”

6. The learned AGP submits that in the present case, the proposals of the Managements are pending and the same can be decided expeditiously with similarly situated proposals. The learned Advocates for the petitioners submit, on instructions, that the petitioners are satisfied.

7. In view of the above, **these Writ Petitions are disposed off**. The pending proposals of the Petitioners shall be decided along with similar proposals, expeditiously. In the event of any deficiencies noticed in the proposal, the competent Authority would immediately convey those to the Petitioners, on their email addresses so as to be removed.

kps (SANJAY A. DESHMUKH, J.) (RAVINDRA V. GHUGE, J.)