

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

WRIT PETITION NO. 8451 OF 2023

Indira Gandhi Junior College,
CIDCO, Nanded, Through its Principal
Babasaheb Sakharam Shinde.

...Petitioner

Versus

1. The State of Maharashtra
Through It's under Secretary, Skill Development Dept.,
Mantralaya, Mumbai.
2. The Director (Training),
Vocational Education and Training Directorate,
Near Dhobi Talav, Mahapalika Marg, Mumbai.
3. The Joint Director,
Vocational Education and Training Directorate,
Regional Office, Aurangabad.

...Respondents

...

Advocate for Petitioners : Mr. Rathi Swapnil S.
AGP for Respondents/State : Mr. S. G. Sangale

...

**CORAM : MANGESH S. PATIL &
SHAILESH P. BRAHME, JJ.**

DATE : 17 JULY 2023.

PER COURT :

Heard.

1. The petitioner is aggrieved by decisions taken under Rule 7.4 of the Secondary School Code, 1986 by the Joint Director and under Rule

7.5 of the Secondary School Code, 1986 by the Director, whereby approval granted to the Crop Science subject has been withdrawn with the current academic year for non-compliance of the various objections.

2. The learned Advocate for the petitioner submits that all the compliances were made and still the authorities did not consider it. They could have resorted to further inspection if necessary, instead of taking lopsided decision.

3. The learned AGP supports both the orders.

4. It is a matter of grant of recognition for continuation of a course in Crop Science. It appears from both the orders; one by the Joint Director and other by the Director, certain shortcomings were noticed in the scrutiny/inspection. It is the stand of the petitioner that those were duly complied with. In fact there is a specific reference in paragraph no.2 of the order passed by the Director, wherein on behalf of the petitioner it was expressly mentioned and informed that all the shortcomings were removed. There is absolutely no discussion much less objectively about such compliances. Jumping conclusion has been reached outrightly refuting such a stand stating in one line that there was no evidence regarding it.

5. In fact, since it is a matter of continuation of approval, the authorities could have again resorted to verification by undertaking

inspection when the petitioner was informing them about compliances having being made. Instead of resorting to any such procedure, straightaway the appellate authority/ Director seems to have outrightly dismissed the appeal.

6. In our considered view, it is not in accordance with the tenets of decision making process, more so in the matters of this kind.

7. We dispose of the writ petition, quash and set aside the impugned orders and relegate the matter to the respondent no.2/Director to take a decision afresh as expeditiously as possible and by extending an opportunity to the petitioner to report compliances and if necessary by undertaking its verification by way of inspection.

8. The decision shall be taken as expeditiously as possible and in any case within three months.

[SHAILESH P. BRAHME, J.]

[MANGESH S. PATIL, J.]

Najeeb...