

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

WRIT PETITION NO.10302 OF 2023

**SUMAYYA TASNEEM FARHEEN MD AKBAR
VERSUS
THE STATE OF MAHARASHTRA THROUGH PRINCIPAL
SECRETARY AND OTEHRS**

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Ms Anjali Dube, Advocate for Petitioner
Mr. S. G. Karlekar, AGP for Respondent - State

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**CORAM : RAVINDRA V. GHUGE AND
Y. G. KHOBRAGADE, JJ.**

DATE : 21.08.2023

PER COURT :-

1. By the impugned order dated 23.06.2023, the Petitioner has been refused approval only for the reason that there is an infighting between the members of the educational trust.

2. Time and again, we have passed orders, and, in fact, warned the Education Officers not to pass such orders rejecting proposals for approval for such reasons, unless the proposal is defective or is legally liable for rejection.

3. In view of above, this **petition is partly allowed** by setting aside the impugned order dated 23.06.2023.

4. We direct the Education Officer (Secondary), to reconsider the proposal of the petitioner recommending the transfer of the petitioner from Junior College to the High School, on it's own merits and by taking into account the record available. If need be, the management be issued a notice so as to allow them an opportunity of hearing in the matter.

5. Let such exercise be completed with sixty [60] days from today.

[Y. G. KHOBRADE, J.]

[RAVINDRA V. GHUGE, J.]

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