

This order is modified/corrected as per Speaking to the Minutes order dated 28/11/2023.

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

908 WRIT PETITION NO.14121 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Gulshan E-Atfal Urdu Primary School,
Kharosa, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Md. Imran s/o Abdul Hai,
Age : 29 years, Occu. Service,
R/o. Kharosa, Tq. Ausa, Dist. Latur.

...Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Primary),
Zilla Parishad, Latur.

....Respondents

AND

909 WRIT PETITION NO.14122 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,

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R/o. Nilanga, Tq. Nilanga, Dist. Latur.

2. Gulshan E-Atfal Urdu Primary School,
Chincholi (Sk.), Tq. Nilanga, Dist. Latur,
Through its Headmaster
Pathan Nisar Noor Mohammad,
Age : 35 years, Occu. Service,
R/o. Kasar Sirsi, Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Primary),
Zilla Parishad, Latur.

....Respondents

AND

910 WRIT PETITION NO.14123 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Gulshan E-Atfal Urdu Primary School,
Aurad (Sha), Tq. Nilanga, Dist. Latur,
Through its Headmaster
Nasima Firdous Mushtaqali,
Age : 54 years, Occu. Service,
R/o. Indira Nagar Aurad (Sha),
Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

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1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Primary),
Zilla Parishad, Latur.

....Respondents

AND

911 WRIT PETITION NO.14124 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Rahimaniya Urdu High School,
Aurad Sha, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Mulla Khalil Usman,
Age : 45 years, Occu. Service,
R/o. Aurad Sha, Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Secondary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Secondary),

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Zilla Parishad, Latur.

....Respondents

AND

913 WRIT PETITION NO.14144 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Rahimaniya Urdu High School,
Nilanga, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Mulla Khalil Usman,
Age : 45 years, Occu. Service,
R/o. Aurad Sha, Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Secondary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Secondary),
Zilla Parishad, Latur.

....Respondents

AND

914 WRIT PETITION NO.14145 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.

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2. Rahimaniya Urdu High School,
Kasar Sirsi, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Sayyed Wasiq Hashmi,
Age : 45 years, Occu. Service,
R/o. Mudgad Road, Kasar Sirsi,
Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Secondary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Secondary),
Zilla Parishad, Latur.

....Respondents

AND

916 WRIT PETITION NO.14165 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Gulshan E-Atfal Urdu Primary School,
Kasar Sirsi, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Shaikh Nisar Ahmad Bashiroddin,
Age : 49 years, Occu. Service,
R/o. Dutt Nagar, Nilanga,
Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

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1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Primary),
Zilla Parishad, Latur.

....Respondents

AND
917 WRIT PETITION NO.14166 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Gulshan E-Atfal Urdu Primary School,
Nilanga, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Deshmukh Md. Shafique Ahemad Abdulkhadar,
Age : 40 years, Occu. Service,
R/o. Near Arya Samaj Old Saraf Line, Nilanga,
Tq. Nilanga, Dist. Latur.

...Petitioners

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.

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4. The Education Officer (Primary),
Zilla Parishad, Latur.

....**Respondents**

AND

919 WRIT PETITION NO.14175 OF 2023

1. Rahimaniya Taleemi Society,
Deshmukh Galli main road, Nilanga,
Tq. Nilanga, Dist. Latur,
Through its Secretary,
Farooq Ahmed Abdul Khadar Deshmukh,
Age : 43 years, Occu. Social-work,
R/o. Nilanga, Tq. Nilanga, Dist. Latur.
2. Gulshan E-Atfal Urdu Primary School,
Halgara, Tq. Nilanga, Dist. Latur,
Through its Headmaster
Risalat Begum Abdul Khadar,
Age : 45 years, Occu. Service,
R/o. Arya Samaj, Nilanga,
Tq. Nilanga, Dist. Latur.

...**Petitioners**

Versus

1. The State of Maharashtra,
Through its Secretary,
Education Department,
Mantralaya, Mumbai.
2. The Director of Education (Primary),
Maharashtra State, Pune.
3. The Deputy Director of Education,
Latur Division, Latur.
4. The Education Officer (Primary),
Zilla Parishad, Latur.

....**Respondents**

.....
Mr. V. S. Panpatte – Advocate for petitioners in all Writ Petitions
Mr. A. S. Shinde – AGP for respondent/State
Mr. V. C. Patil h/f Mr. U. B. Bondar – Advocate for respondent no. 4 in
WP Nos. 14121/2023, 14122/2023, 14166/2023, 14175/2023, and for
respondent no. 3 in WP Nos. 14123/2023, 14165/2023
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**CORAM : MANGESH S. PATIL
AND
NEERAJ P. DHOTE, JJ.**

DATED : 07 NOVEMBER 2023

PER COURT :-

1. Leave is granted to correct the day of the Government Resolution in all the petitions. Amendment to be carried out forthwith.
2. Heard both the sides.
3. The petitioners, which are minority institutes running primary / secondary schools, are awaiting decision of the authorities and claim to be entitled to admit 20 students in the primary / secondary schools and claim to be not governed by the Government Resolution dated 15.11.2011. They are also seeking to derive the benefit of the decision of this Court in the matters of **Maharashtra Urdu Shala Sangharsha Samiti, Aurangabad and others versus The State of Maharashtra and others** [Writ Petition No. 9967 of 2013, decided on 12.08.2016]. The learned advocate for the petitioners submits that the petitioners have been pursuing matter since long but there is no response.
4. There are communications on the record showing that, indeed, the petitioners have been requesting respondent no. 4 –

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Education Officer (Primary/Secondary), *Zilla Parishad*, Latur, to consider their request.

5. Learned advocate for the respondent no. 4 submits that the respondent no. 4 cannot take any decision, he can only make a proposal.

6. Without expressing any view on the merits, even by keep the issue open as to if the petitioners are entitled to derive the benefit of the decision of this Court in Writ Petition No. 9967 of 2013, we dispose of the writ petitions by directing the respondent no. 4 to put up appropriate proposal, which shall be considered by the respondent nos. 1 and 2, on its own merits, within a period of four (04) months of receipt of the proposal.

[NEERAJ P. DHOTE]
JUDGE

[MANGESH S. PATIL]
JUDGE