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

**REVIEW APPLICATION NO. 274 OF 2024
IN
WRIT PETITION NO. 1609 OF 2024**

Vitthal Shikshan Prasarak Mandal through its Secretary,
Gopalraon Tukaram Birajdar

Versus

The State of Maharashtra and others.

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Mr. S.S. Deshmukh, Advocate for applicant
Mr. A.R. Kale, AGP for respondent State.

**CORAM : SMT. VIBHA KANKANWADI
& S.G. CHAPALGAONKAR, JJ.**

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DATE : 14 DECEMBER, 2024.

P.C. :-

1. The applicant seeks review of the order dated 08.05.2024 passed by this court in W.P No. 1609 of 2024.
2. Appellant/petitioner had approached this Court, impugning the communications dated 30.11.2023 and 7.12.2023 and sought declaration that the school run by petitioner is eligible for 20% grants-in-aid and consequential benefits. It was contention of the petitioner that respondent No.1 had granted permission to run the school in favour of the petitioner since 16.10.2003 on permanent no-grant-basis. Lateron, pursuant to Government policy, the expression “permanent” was deleted and school was given status of non-grant basis. Thereafter, the competent authority had recommended petitioner’s case for grant-in-aid

finding requisite compliance. Finally, order dated 4.12.2020 is passed excluding petitioner from the list of eligible schools to receive grant-in-aid, relying upon Govt. Resolution dated 6.2.2023. It was contended that the said Govt. Resolution could not have been applied retrospectively to deny the benefit to the petitioner.

3. This court, after considering rival submissions observed that although on 16.9.2019 a recommendation was made in favour of petitioner to extent 20% grant in aid, no final decision was taken in pursuance to such proposal. The Inspection Report regarding the school was called in the year 2022-23, wherein, it was noted that the school is non-functional. Consequently, proposal for grant in aid to the school was refused, as it was non-compliant with Government Resolution dated 6.2.2023.

4. The decision of the Government has been upheld by this Court since petitioner School was found non-functional and no student was admitted in the school for the academic yer 2022-23.

4. In this background, present application is moved seeking review of the order, firstly on the ground that recommendation in favour of the petitioner was made by the Officer of the rank of Director of Education, as per the previous policy. As such, claim of the applicant could not have been rejected relying upon the conditions stipulated in subsequent Govt. Resolution dated 6.2.2023. The provisions of the Govt. Resolution could not have been applied retrospectively while considering the recommendation in favour of the applicant.

5. Apparently, similar submissions were advanced at the hearing of writ petition and considered by this court in Para. No.3 of the

order under review that clearly records similar submissions on behalf of the applicant and finally, it has been dealt in para. 8 of the judgment.

6. We are, therefore, of the considered view that grounds in present review are merely repetition of the submissions advanced during the course of hearing of the main writ petition and those have already been considered and dealt with in the order under review.

7. Hence, no ground is made out to exercise review jurisdiction. The review application stands rejected.

[S.G. CHAPALGAONKAR, J] [SMT. VIBHA KANKANWADI, J]
grt/-