



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

WRIT PETITION NO. 5924 OF 2024

Aadhar Andh Apang Matimand
Sevabhavi Punarwasan Kendra
through Vice President .. Petitioner

Versus

The State of Maharashtra and others .. Respondents

Shri S. S. Thombre, Advocate for the Petitioner.
Shri S. P. Joshi, A.G.P. for the Respondent Nos. 1to 3.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 21 JUNE 2024.**

FINAL ORDER :

. Petitioner which is running special school is aggrieved by the decision taken by the respondent No. 2/Commissioner and Competent Authority dated Nil/03/2024 (Exhibit D).

2. We have heard both the sides. The petitioner's proposal was duly recommended by the District Social Welfare Officer, Zilla Parishad, Aurangabad vide its communication dated 31.03.2023 (Exhibit – C). However, impugned order has been passed apparently in default and the proposal has been turned down only on the ground that on the two dates notified nobody had turned up from the petitioner institution for prosecuting it.

3. Considering the fact that it is merely a matter of renewal of

licence and not a litigation, heavens would not have fallen had the respondent authority waited for some more time instead of rejecting the proposal in default.

4. Be that as it may, we dispose of the writ petition by quashing and setting aside impugned communication and by directing the petitioner to appear before the respondent No. 2/Commissioner on 26.06.2024. The respondent No. 2 shall thereafter hear the petitioner and pass appropriate order afresh within a week thereafter and shall communicate the same to the petitioner immediately by email.

5. Parties to act on authenticated copy of this order.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]

bsb/June 24