



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

929 WRIT PETITION NO. 9738 OF 2024

SABKA MALIK EK EDUCATION AND WELFARE SOCIETY THROUGH ITS
SECRETARY

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND OTHERS

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Advocate for the Petitioner : Mr. Thombre Chandrakant V.

AGP for Respondents: Mr. V.M. Chate

...

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

DATE : 06.09.2024

PER COURT :

Heard.

2. The petitioner-institute is challenging the communication/order dated 27.12.2022, communicated by the the Education Officer (Secondary) by a communication 12.05.2023, refusing to process its application for starting a new school under Maharashtra Self Financed Schools (Establishment and Management) Act, 2012.

3. It is being pointed out that the State Government has issued a circular dated 18.12.2023, giving some clarification in respect of some norms to be followed while granting permission under that Act.

4. Since such modification/fresh directions/guidelines have come after the impugned order was passed, we allow the writ petition partly, quash and set aside the impugned order dated 27.12.2022 and communication dated 12.05.2023 and direct the respondent-Education Officer (Secondary) to take appropriate steps on the petitioner's proposal on its own merits, and in light of the proposal dated 18.12.2023 (page 77), as expeditiously as possible and in any case within four weeks.

(SHAILESH P. BRAHME, J.)
mkd/-

(MANGESH S. PATIL, J.)