

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9342 OF 2024

Khandala Vibhag Shikshan Samiti and Anr. ...Petitioners
Versus
The State of Maharashtra and Ors. ...Respondents

Mr. Narendra Bandiwadekar, Senior Advocate a/w Vinayak
Kumbhar, Rajendra Khaire, Aniket Phapale i/b Ashwini
Bandiwadekar for the Petitioners.
Mr. A.K. Naik, AGP for Respondent/State.

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**CORAM : NITIN JAMDAR AND
M.M. SATHAYE, JJ.**

DATE : 9 JULY 2024

P.C. :

. Heard learned counsel for the parties.

2. The Petitioner No.1/Education Institute and Petitioner No.2 School have jointly filed this petition seeking direction to Respondent No.4/Education Officer (Secondary), Zilla Parishad, Satara to issue revised order of *Sanch Manyata* for Academic Year 2023-2024 by sanctioning one post of graduate teacher for 8th standard class.

3. It is the case of the Petitioners that Petitioner No.2 is a fully

aided school and on the basis of student's strength of 8th Standard, one post of teacher is sanctioned every year upto Academic Year 2022-23. In July 2023, one student took admission in Petitioner No.2 school after withdrawing from his old school and said student has been continuously attending the Petitioner No.2 school till date. It is contended that due to error on the part of Respondent authority, the name of said student was wrongly shown as student of the old school due to which, when Respondent No.4 issued draft approval to *Sanch Manyata* for Academic Year 2023-2024, only 19 students were shown for 8th standard and on that basis, the post of teacher is not sanctioned. The required number of students is 20, is the submission.

4. Petitioner No.2/School has made application and representation pointing out the error and requesting necessary correction. The learned counsel for the Petitioner has drawn our attention to the Report of Respondent No.6 (concerned *Kendra Pramukh*) dated 10 May 2024 as well as recommendation of Respondent No.5 (concerned Block Education Officer) dated 27 May 2024, which are produced on record, stating that there is an inadvertent mistake and the concerned student was in fact taking education in 8th standard of Petitioner No.2 School from 1 July 2023.

5. Considering the aforesaid submissions and the nature of

prayer, we find it appropriate to dispose of this petition by directing Respondent No.4/Education Officer to hear the Petitioners and pass appropriate order on their request for *Sanch Manyata* considering the documents submitted by the Petitioners in support of their request. The Petitioners are at liberty to submit documents in support of their request, if not already submitted.

6. Respondent No.4/Education Officer to communicate to Petitioners if there are any other objections, within 2 weeks from the communication of this order and take decision and pass necessary order within a period of eight weeks thereafter. We have not expressed any opinion on the merits of the Petitioner's request and Respondent No.4 shall pass a reasoned order in accordance with law.

7. The Writ Petition is disposed of in the aforesaid terms. No order as to costs.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)