

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

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WRIT PETITION NO.1181 OF 2024

Dnyan Prasar Shikshan Sanstha .. Petitioner
Vs.
The State of Maharashtra & Ors. .. Respondents

...
Mr. Narendra N. Bandiwadekar, Sr. Adv. a/w Mr. Vinayak R. Kumbhar, Mr.
Rajendra B. Khaire, Mr. Aniket S. Phapale i/by Mrs. Ashwini N.
Bandiwadekar for the Petitioner.

Ms. Reena A. Salunkhe, AGP for Respondent Nos. 1 to 4-State.

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**CORAM : A.S. CHANDURKAR &
JITENDRA JAIN, JJ**

DATE : 29th JANUARY, 2024.

PC. :

1. Challenge raised in this writ petition is to the order dated 08/01/2024 that has been issued by the Respondent No.1 directing appointment of Administrator on the Ashram Schools being run by the petitioner-society from the academic year 2023-2024 as well as cancelling the recognition of the Ashram Schools at the end of said academic year. One of the contentions raised by the learned Senior Advocate for the petitioner is that in response to the Show Cause Notice dated 28/09/2022 a detailed reply was submitted on 13/10/2022. The matter thereafter examined by the Regional Deputy Director, Other Backward Class Development Department, Pune and the said Authority expressed its opinion which was forwarded to the State Government. Without

considering the stand of the petitioner and without granting proper opportunity, an order appointing Administrator as well as cancellation of recognition has been passed.

2. Issue notice to the respondents, returnable 26/02/2024.
3. Prima facie, on a perusal of documentary material on record, including the opinion expressed by the Regional Deputy Director, we find that certain deficiencies with regard to running of the Ashram Schools as regards providing various facilities and maintaining accounts have not been removed. At the same time, we find that the explanation with regard to other deficiencies has been furnished by the petitioner.

The question to be considered is whether the recommendations by the Regional Deputy Director have been taken into consideration by the State Government issuing the impugned order dated 08/01/2024. In that view of the matter, while the direction to appoint the Administrator on the schools run by the petitioner shall remain stayed till the returnable date, the petitioner shall take all necessary steps to remove the subsisting deficiencies as pointed out in the recommendation of the Regional Deputy Director.

[JITENDRA JAIN, J]

[A.S. CHANDURKAR, J.]