

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

WRIT PETITION NO. 8652 OF 2024

Y & M Anjuman Khairul Islam Trust,
Through Its General Secretary & Ors. ... Petitioners.

V/s.

The State of Maharashtra & Ors. ... Respondents.

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Mr. I.M. Khairdi for the Petitioners.

Mr.B.V.Samant, Addl. GP with Mr.A.C.Bhadang, AGP for the
Respondent-State.

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

DATE : 26 June 2024.

P.C. :

Heard the learned Counsel for the parties.

2. Petitioner No. 1 is the registered educational trust and Petitioner No.2 is the private aided school/institution run by Petitioner No.1. They had submitted the proposals for approval to the appointment of Petitioner No.3. These proposals have been rejected by three orders. These orders are of 3 May 2021, 13 February 2023 and 21 November 2023.

3. In the order dated 13 February 2023, as many as twenty three deficiencies have been pointed out. According to the Petitioners, these deficiencies have been removed and also that Petitioner No.2 is a minority institution.

4. Grievance of the Petitioners is that the last order dated 21 November 2023 only rejects the proposal on the ground that the proposal was earlier rejected. The learned Addl. GP sought to contend that instead of challenging the first order of rejection, the Petitioners have submitted the proposal again. Be that as it may, the second proposal was looked into and twenty three shortfalls were pointed out which, according to the learned Counsel for the Petitioners, have been removed. This would require an enquiry and had an opportunity be given to the Petitioners, the Petitioners could have demonstrated their case on facts.

5. In these circumstances, it is directed that the impugned order dated 21 November 2023 be converted to a show cause notice. In case, Respondent No.4- the Education Inspector (Secondary) is proceeding to reject the proposal of the Petitioners, then Respondent No.4 -Education Inspector will communicate the proposed grounds of rejection calling upon the Petitioners to respond, and thereafter pass a reasoned order. In case approval is granted, necessary consequential steps be taken. This exercise be carried out within a period of three months from today, subject to earlier time bound commitments.

6. The writ petition is disposed of in above terms.

(M.M. SATHAYE, J.)

(NITIN JAMDAR, J.)