



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAW) NO.1123/2024

IN

WRIT PETITION NO.1568/2023

Mrs. Varshatai W/o Sanjay Bagde

...Versus...

State of Maharashtra through its Secretary, Ministry of Law and Judiciary,

Mantralaya, Mumbai and others

Applicants : Syed Burhan Syed Nabi and others

WITH

WRIT PETITION NO.2703/2023

Salimoddin Shamshoddin and another

...Versus...

State of Maharashtra, Ministry of Urban Development Department, Through its
Secretary, Mumbai and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. R.D. Dharmadhikari & Mr. Satyajeetsingh Raghuwanshi, Advocates for
petitioner in WP No.1568/2023

Mr. A.M. Kadukar, AGP for respondent nos.1, 2 & 4 in WP No.1568/2023

Mr. P.P. Deshmukh, Advocate for respondent no.3 in WP No.1568/2023

Mr. R.L. Khapre, Sr. Advocate a/b Mr. A.S. Shukla, Advocate for intervenors/
respondent nos.5 to 10 in WP No.1568/2023

Mr. R.L. Khapre, Sr. Advocate a/b Mr. Pushkar Deshpande, Advocate for
petitioners in WP No.2703/2023

Mr. A.M. Kadukar, AGP for respondent nos.1, 2, 4 & 6 in WP No.2703/2023

Mr. P.P. Deshmukh, Advocate for respondent no.3

Mr. R.D. Dharmadhikari & Mr. Satyajeetsingh Raghuwanshi, Advocates for
respondent No.5 in WP No.2703/2023

CORAM : AVINASH G. GHAROTE AND
SMT. M.S. JAWALKAR, JJ.

DATE : 10/04/2024

1. The civil application has been filed by the applicants for permission to intervene in the matter.
2. Considering the nature of the dispute, the civil application is allowed. Petitioner to add the applicants as respondents nos.5 to 10. Amendment to be carried out forthwith.
3. Advocate Mr. A.S. Shukla waives service of notice for the newly added respondent nos.5 to 10.

WRIT PETITION NO.1568/2023
WITH
WRIT PETITION NO.2703/2023

1. Writ Petition No.1568/2023 seeks a direction to the respondent no.4, who is the Chairman of the District Marathi Language Committee, Akola to take immediate decision with respect to usage of Urdu language on the signboard affixed on the office of the Municipal Council, Patur in terms of the Maharashtra Local Authorities (Official Languages) Act, 2022, which in sum and substance seeks a direction to remove the name of the Municipal Council, which is written in Urdu on the said signboard.
2. Writ Petition No.2703/2023 challenges the Resolution dated 10/02/2023 by the Administrator (pg.48), whereby the earlier Resolution of the General Body of Nagar

Parishad, Mangrulpur dated 10/08/1998 resolving the display of the name of Nagar Parishad in Urdu, in addition to the official language Marathi has been set aside by holding that it is only Marathi language, which can be used for depicting the name of the Municipal Council on its building.

3. Mr. Khapre, learned Senior Counsel appearing for the petitioners in Writ Petition No.2703/2023 contends that there is no prohibition in the Maharashtra Local Authorities (Official Languages) Act, 2022 ("Act of 2022" hereinafter for short) to write the name of the Municipal Councils on the signboards in any language, in addition to Marathi. It is contended that the Act of 2022 merely provides Marathi to be official language and in case the said dictum is satisfied, display of the name of the Municipal Council in addition to Marathi language would not be prohibited, as the dictum of the Act of 2022 stands complied with.

4. Mr. Dharmadhikari, learned counsel for the respondent no.5 in Writ Petition No.2703/2023 while opposing the same contends that the dictum of the Act of 2022 would mean that only Marathi language, would be official language and no other language, is permissible to be used and therefore, display of the name of the Municipal Council in any language other than Marathi would not be permissible.

5. Perusal of the Act of 2022, would indicate that Marathi has been declared as official language of all the Local Authorities in the State of Maharashtra, to be used for all official purposes as well as purposes related to public interface and public interest in all offices of the Local Authorities. Section 3 (1) (a) to (i) of the Act of 2022 elucidates as to in which communications, actions, forms, signboards etc. the Marathi language is to be used.

6. We are herewith concerned with the display of the name of the Municipal Council on its building, which in addition to Marathi, has also been written in Urdu script.

7. A perusal of the Act of 2022, would indicate, that all that it does, is to ensure that the business and affairs of the Council, are to be conducted in Marathi language, including Marathi script. Insofar as the erection of signboard and display of the name of the Municipal Council is concerned, it does not prohibit use of an additional language, to display the name, in addition to the name being displayed in Marathi language. Till such time, Marathi language continues to be the official language of the Local Authorities, in terms of the Act of 2022, in our considered opinion, the use of an additional language to display the name of Municipal Council on its building would not indicate any violation of the provisions of the Act of 2022. What is to be also noted is that there is no prohibition in the Act of 2022 for any such use of a language, in addition to the

official language, in view of which, insofar as Writ Petition No.2703/2023 is concerned, the impugned communication dated 10/02/2023 by the Administrator, cannot be sustained and the same is hereby quashed and set aside The writ petition is accordingly allowed in the above terms. No order as to costs.

8. Insofar as Writ Petition No.1568/2023 is concerned, in view of what has been said above, we do not see any reason to interfere therein. The writ petition is dismissed. No order as to costs.

(SMT. M.S. JAWALKAR, J.)

(AVINASH G. GHAROTE, J.)