



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2103 OF 2025

GOLDEN DREAM EDUCATION AND WELFARE SOCIETY THROUGH
ITS PRESIDENT

VERSUS

THE STATE OF MAHARASHTRA
THROUGH ITS SECRETARY AND OTHERS

...

Advocate for the Petitioner : Mr. D. R. Irale Patil h/f.
Mr. V. C. Patil (Ashtekar)
Addl. GP for Respondent Nos. 1 to 4 : Mr. M. M. Nerlikar

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CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.

DATE : 12.02.2025

PER COURT :

. The petitioner – Institution is making two-fold prayers.

2. After having shifted the school to a new place, an application has been submitted to the Education Officer (Secondary), who has recommended it by the proposal dated 14.06.2024 (Exhibit– ‘H’) seeking permission from the Divisional Deputy Director of Education. He is soliciting writ of mandamus so that this proposal can be decided.

3. Merely, the petitioner is also impugning the communication, whereby the Education Officer (Primary) has proposed cancellation of the permission to the primary school by addressing a communication to the Director of Education (Primary) dated 30.01.2025 on the ground that the school has been shifted without prior permission.

4. As far as the former prayer is concerned, in our considered view, it is innocuous, there has to be some by the Director of Education (Secondary) on the proposal which is in the form of positive recommendation. The writ petition to that extent, is allowed with a direction that the Deputy Director of Education may take appropriate steps in light of the proposal on its own merits, as expeditiously as possible, and in any case, within three (03) weeks.

5. As regards the other prayer seeking to stall any action pursuant to the communication dated 30.01.2025 for cancellation of permission to the primary school, the writ petition deserves to be disposed of granting liberty to the petitioner to approach and resort to the appropriate remedy as and when some decision is taken for cancellation of permission.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

jhs/