

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 2435 OF 2023

Vidyavardhini Bahuuddeshiya Shikshan Sanstha Through Its President
And Another

VERSUS

The State Of Maharashtra Through Its Minister And Others

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Advocate for the Petitioners : Mr. Wakure Sanjay A
AGP for Respondent/State : Mr. PP Dhavalakar

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATED : DECEMBER 09, 2025

PER COURT :

1. Heard the learned counsel for respective parties.
2. The petitioners are challenging the order dated 20.01.2022 passed by the Minister for School Education Department, Maharashtra State in Appeal No. Secondary School Case-7021 (Case No.175/71)/SM-3.
3. Learned counsel for the petitioners submits that when the Minister heard the appeal of the petitioners on 20.01.2022 through virtual mode, some technical glitches had occurred and therefore, the petitioners could not argue the matter on the same day. The Minister without inquiring whether there was any connection issue and without giving opportunity of hearing, passed the order. Therefore, he submits that there is clear violation of principle of natural justice.
4. Per contra, learned AGP submits that when the petitioners appeared through virtual mode and argued the matter,

they did not raise any complaint of poor connection. He further submits that some unwanted persons who were not concerned with the matter had connected. Therefore, he submits that the government has already followed the procedure and proper opportunity of hearing was given.

5. I have gone through the order passed by the Minister and arguments advanced by both the parties. As some unwanted persons had joined, it can be held that the hearing was not conducted properly.

6. Therefore, on this ground, I am inclined to allow the petition by setting aside the order passed by the Minister.

7. In view thereof, the petition is allowed. The order dated 20.01.2022 passed by the Minister for School Education Department, Maharashtra State in Appeal No. Secondary School Case-7021 (Case No.175/71)/SM-3 is quashed and set aside.

8. The appeal filed by the petitioners is restored. The Minister shall pass an appropriate order upon granting petitioners an opportunity of hearing and pass order in accordance with law.

9. It is made clear that the order passed by the Minister is quashed only on the ground that sufficient opportunity was not granted to the petitioners.

10. The learned AGP submits that an Administrator has already been appointed and is officiating, therefore, the same position to continue till the Minister decides the matter on merits.

(SIDDHESHWAR S. THOMBRE, J.)