

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

WRIT PETITION NO. 11003 OF 2025

Bhagwanbaba Shikshan Sanstha
Pune & Anr.

... Petitioners

Versus
State of Maharashtra Through
its Secretary And Ors.

... Respondents

Mr. Rajaram Deshmukh (Through VC), Advocate for the Petitioners.
Mr. Ashwin R. Kapadnis, Advocate for Respondent No.2– Zilha
Parishad.
Mr. P. G. Sawant, AGP for Respondent Nos.1 & 3.

**CORAM : RAVINDRA V. GHUGE AND
ASHWIN D. BHOBE, JJ.**

DATE : 17th SEPTEMBER, 2025

P.C. :

1. The Petitioner has put forth prayer clauses a, b & c, as
under:-

*[A] That this Honourable Court be pleased to issue writ mandamus
or writ in the nature of mandamus or any other writ or directions or any
other order thereby be pleased to direct the Respondent No.2 to consider
the applications made by the Petitioners and thereby start the SARAL
PRANALI UDISE NO. 27251901305 [EXH. D]*

*[B] That this Honourable Court be pleased to issue writ mandamus
or writ in the nature of mandamus or any other writ or directions or any
other order thereby direct the Respondent No. 2 to grant the student*

portal to the school for filling the online information of the students through SARAL PRANALI.

[C] That this Honourable Court be pleased to issue writ mandamus or writ in the nature of mandamus or any other writ or directions or any other order thereby direct the Respondent No. 2 to assign the staffing pattern of school in view of applications made by the Petitioners to the Respondent Authority as well as the recommendations by the Administration Officer, School Education Department, (Primary) Pimpri Chinchwad Mahanagarpalika, Pimpri, Pune.

2. We have perused the entire pleadings in the memo of the Petition. At every stage, the Petitioners have stated that the Petitioner No.1 Management Institute is running the School for the 1st to the 7th standards. It is also stated that Respondent No.1 has started grant-in-aid for these seven standards. In a Petition comprising of 15 pages, throughout in the Petition, the Petitioners have stated that the school is operating and the students are being imparted education. There is not a whisper in the pleadings that the School has been closed down at the beginning of the Academic Year 2018 – 2019.

3. The Petitioners place reliance upon a report tendered by Ms. Sangita Bangar, Administrative Officer, Education Department, Primary Section, Pimpri-Chinchwad Municipal Corporation, dated 25/02/2025, addressed to the Education Officer, Primary, recommending that the

Petitioner School's entry in the Saral Pranali UDISE, should be granted. However, the said Officer does not mention in the said communication that the School was closed down in 2018. In fact, it is stated that the said School namely, Saraswati Gavade Prathamik Vidyamandir has UDISE number, which is operative and the students have appeared for the 5th standard scholarship examination on 9/02/2025.

4. The learned Advocate appearing for the Zilha Parishad tenders a compilation of 5 pages, which is marked 'X' for identification. He points out that the Education Officer, Primary, has addressed the Administrative Officer, Education Department, Primary, of the Municipal Corporation that the School is already closed down and the UDISE is non-functional from 2018 – 2019. In this compilation, there are two communications dated 02/04/2025 and 07/05/2025, addressed to the Administrative Officer setting out the details about the factum of the closure of the School. In an earlier communication dated 06/09/2024, addressed to the Deputy Director of Education, Pune Division, the Pune Zilha Parishad has mentioned the Petitioner's School at Serial No.2 indicating that the said School has already been closed down and its teachers have been absorbed elsewhere.

5. The learned Advocate for the Zilha Parishad points out a communication from the Petitioner Chairman, dated 17/01/2025 addressed to the Education Officer, Primary Education Department, Zilha Parishad, Pune, in which a list of the students from the 1st to the 7th standards has also been furnished. He further submits that it is shocking that the Petitioners have indulged in such a conduct, when not a single student is admitted in the School and all the teachers have been absorbed elsewhere, more than 6 to 7 years ago.

6. In view of the above, we find that this is a clear case of deliberate and willful suppression of facts, not only from the authorities, but also before the Court. This Petition has been filed by Shri Ravindra Chandrasen Sanap, president of the management and a specific verification clause in the Petition indicates that he has affirmed that the contents set out in the pleadings and the Annexures are true and correct.

7. The law laid down by the Hon'ble Supreme Court in ***Kishore Samrite Vs. State of U.P. & Ors.***¹ and ***Bhaskar Laxman & Ors. Vs. Jadhav Karamveer Kakasaheb Wagh Edu. Society & Ors***², would

1 2013 (2) SCC 398

2 2013 (11) SCC 531

squarely apply to this case. The Hon'ble Supreme Court has concluded that when a litigant is found to have suppressed material information from the Court to acquire an order, such litigant should be dealt with sternly.

8. In the instant case, we find that the Petitioner-Management has not only suppressed material facts, but has intentionally and deliberately conveyed to the Court that the School is functional and is imparting education from the 1st to the 7th standards.

9. In view of the above, **this Petition is dismissed** with costs of Rs.1 lakh to be deposited by the Petitioner, who has filed this Petition, namely Shri Ravindra Chandrasen Sanap, in this Court on or before **15th October, 2025**. If we find that the amount is not deposited, we would direct the District Collector, Pune to recover the said amount as arrears of land revenue. This matter be listed before this Court for recording compliance on **16th October, 2025**.

10. Once the amount is deposited in this Court, with the consent of the learned AGP and the learned Advocate for the Zilha Parishad, the said amount would be utilized for a public cause by donating portions of

the said amount to the following entities :-

1. Children Aid Society, Mumbai

Account No.02370100005612

Bank Name :UCO BANK

Branch – Matunga

IFSC : UCBA0000237

2. In Defense of Animals

Account No.04060100019102

Bank Name :Bank of Baroda

Branch – Chandavarkar Road Branch, Matunga

IFSC : BARB0CHANDA ('0' is a digit not alphabet)

MICR No.: 400012046

3. The High Court Employees Medical Welfare Fund at Mumbai

Account No. : 000120110001337

Bank : Bank of India

Branch : Mumbai Main

IFSC Code : BKID00000001

4. National Association for the Blind

Account No : 3740000100008551

Bank : Punjab National Bank

Branch : Worli Seaface

IFSC Code : PUNB0374000

11. The Registry is directed to transfer the amount of Rs.25,000/- each to the aforesaid firm / establishments through Bank Transfer.

(ASHWIN D. BHOBE, J.)

(RAVINDRA V. GHUGE, J.)