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

**WRIT PETITION NO. 11875 OF 2025**

Bharat Sarva Seva Sangh, Pachegaon  
Registered Trust & Anr.

...Petitioners

*Versus*

The State of Maharashtra & Anr.

...Respondents

Mr. Shriniwas Wagh (Thr. V.C.) a/w Mr. Deepak Pote, Advocate for  
the Petitioners.

Ms. P.M. Joshi Deshpande, AGP for the Respondent/State.

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

**DATE : 18<sup>th</sup> SEPTEMBER, 2025**

**P.C. :-**

1. Our Court must have passed hundreds of orders in matters, wherein the proposal for grant of approval is turned down by the Education Officer on the ground that there are certain deficiencies. This Court has consistently held that proposals in which the Education Officer notices deficiencies, he should call upon the Management to cure the deficiencies within a timeline. Thereafter, if deficiencies are impossible to be cured and tantamount to a legal impediment for granting approval, the Education Officer

can thereafter reject the proposals. Wherever the deficiencies can be cured, an opportunity has to be granted to the Management. This is the consistent view of this Court over the last five years.

2. In the present case, the Petitioner/Management as well as the employee have sought a Writ of Mandamus to the Education Officer (Secondary), Zilla Parishad, Nashik to decide the pending revised proposal 28<sup>th</sup> December, 2024.

3. The learned AGP has received a copy of an order dated 25<sup>th</sup> November, 2024, with the signature of the Education Officer, Shri. Pravin Patil, mentioning the date as 30<sup>th</sup> January, 2024 below his signature. Apparently, the Education Officer has got confused in writing the date on the said order. Nevertheless, the said Officer mentions a list of seven deficiencies and without granting an opportunity to the Management to cure the deficiencies, as far as it is possible, he rejects the proposal.

4. We are informed that in view of the orders of this Court, a circular was issued to the Authorities not to reject such proposals. The learned Advocate for the Management submits that a

fresh proposal dated 28<sup>th</sup> December, 2024, treating the impugned order dated 3<sup>rd</sup> August, 2023 as a notice for pointing out the deficiencies, has already been tendered to the said Officer.

5. In view of the above, we find that the present Petitioners were compelled to approach this Court only because of the manner in which the impugned order has been passed.

6. This **Writ Petition is partly allowed** with the following directions :-

a) The impugned order dated 3<sup>rd</sup> August, 2023 shall be treated as a notice to the Management. Pursuant thereto, the Management has already tendered the revised proposal dated 28<sup>th</sup> December, 2024.

b) The revised proposal shall be decided on its own merits and no further objections shall be raised, save and except those objections, which were already raised by the Education Officer from Serial Nos.1 to 7 in the impugned order.

c) The Education Officer shall pass a reasoned order within a period of 45 days from today taking into

consideration the revised proposal dated 28<sup>th</sup> December, 2024.

d) If any party is aggrieved by the said order said order, liberty to avail of a remedy, as is permissible in law.

e) It is made clear that we have not expressed any opinion with regard to the revised proposal or the objections raised and the Education Officer is at liberty to decide the said proposal on its own merits.

7. Since the Education Officers are repeatedly passing orders of this nature, which we have dealt with in this Petition, in order to caution the Education Officer, we are showing leniency and imposing cost of only Rs.10,000/, which he shall deposit in this Court from his salary bank account, within a period of 60 days from today. We are granting a longer duration to deposit a small amount of cost, since we are informed that the said Education Officer was apprehended in an Anti-Corruption Case and is presently behind bars.

**(ASHWIN D. BHOBE, J.)**

**(RAVINDRA V. GHUGE, J.)**