



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

CIVIL APPLICATION (W) NO.2427 OF 2024
IN
WRIT PETITION NO. 3567 OF 2024

(Yash Narendra Dorle vs. State of Maharashtra through Secretary, School Education and Sports Department, Mumbai and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of the directions
and Registrar's orders.*

Court's or Judge's order

Mr. Nihil Laplikar, Advocate for the petitioner.
Mr. S.M.Ukey, Addl. Government Pleader for respondent Nos.1 to 3.
Mr. V.K.Paliwal, Advocate for respondent Nos.4 and 5.
Mr. R.D.Dhore, Advocate for Intervenor (CAW No.2427/2024).

CORAM : AVINASH G. GHAROTE AND
ABHAY J. MANTRI, J.

DATE : MARCH 03, 2025

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1) The applicant/intervenor moved application to permit him to implead him as party in the petition on the ground that he being the secretary of respondent No.4 Society his name is mentioned in the Schedule-I of the Society, however, subsequently the election was conducted. The new body has been formed, and the Change Report under Section 22 of the Bombay Public Trusts Act, 1950, is pending in that regard. The intervenor is not part of the newly elected body. Therefore, we do not find substance in the contentions of learned counsel for the intervenor to add him as a party. As such, the application is rejected.

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- 1) Heard learned counsel for the parties.
- 2) By this petition, the petitioner seeks to quash and set aside the communication dated 18/09/2023 issued by respondent No.3; thereby, the respondent No.3 Education officer returned/rejected the petitioner's proposal for approval on the grounds that two discrepancies were found in it.
- 3) Mr. Paliwal, learned counsel for respondents Nos. 4 and 5, submits that they will remove the errors indicated in the proposal.
- 4) In response, the learned Addl. G.P. submits that upon receipt of the proposal, respondent No.3 will decide the same within four weeks.
- 5) In view of the above, the learned counsel for the parties submitted to dispose of the matter. Having considered the same, we deem it appropriate to dispose of the petition in the following manner :-

1. The impugned communication dated 18/09/2023 issued by respondent No.3 Education officer (Secondary) is hereby quashed and set aside.
2. Respondents No. 4 and 5 are directed to submit a fresh proposal removing the error specified in the impugned communication/proposal within one week from today.
3. On receipt of the proposal, the respondent No.3 is directed to decide the same within two weeks thereafter.

Petition is disposed of in the above terms.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)