



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR.

WRIT PETITION NO. 3936 OF 2025

PETITIONERS

- : 1. Seth Bansidhar Dahigaonkar High School Education Society, Telhara, through its President, Tah. Telhara, District – Akola.
2. Seth Bansidhar Vidhyalaya, Telhara, through its Head Master, Tah. Telhara, District – Akola.
3. Avinash S/o. Gajanan Sable, Aged about 33 Years, Occ. Service as Teacher, C/o. Seth Bansidhar Vidhyalaya, Telhara, Tah. Telhara, District – Akola.
4. Nikhil Vivekanand Savat, Aged about 28 Years, Occ. Service as Teacher, C/o. Seth Bansidhar Vidhyalaya, Telhara, Tah. Telhara, District – Akola.
5. Anukesh Sevakram Dhumale, Aged about 34 Years, Occ. Service as Teacher, C/o. Seth Bansidhar Vidhyalaya, Telhara, Tah. Telhara, District – Akola.
6. Ku. Kavita Prakash Kuyate, Aged about 28 Years, Occ. Service as Teacher, C/o. Seth Bansidhar Vidhyalaya, Telhara, Tah. Telhara, District – Akola.

//VERSUS//

RESPONDENTS

- : 1. The Deputy Director of Education, Amravati Division, Amravati.

2. The Education Officer (Secondary),
Zilla Parishad Akola, District – Akola.

Mr. R.D. Karode, Advocate for the Petitioners.
Ms. S.S. Jachak, Addl. G.P. for the Respondents/State.

**CORAM : SMT. M.S. JAWALKAR AND
RAJ D. WAKODE, JJ.**

DATED : 11th SEPTEMBER, 2025.

ORAL JUDGMENT :- (PER : SMT. M.S. JAWALKAR, J.)

Heard. **RULE.** Rule made returnable forthwith. Heard finally by consent of the parties.

2. The learned Additional Government Pleader fairly concedes that the issue involved in this petition is covered by the judgment of this Court in *Ubhajo Shikshan Sanstha and ors Vs. State of Maharashtra and ors., Writ Petition No.2538 of 2021, decided on 16/11/2021.*

3. On perusal of the impugned orders dated 23/04/2025 passed by the Education Officer, Zilla Parishad, Akola and 13/05/2025 passed by the Deputy Director of Education, Amravati Division, Amravati, it is evident that the only reason, which has been given for refusing approval, is the ban on recruitment process. In view of the judgment in *Ubhajo Shikshan Sanstha and ors* (supra), the ban on recruitment process is not applicable to the Minority Institutions like petitioner Nos.1 and 2. There is no dispute over the point that petitioner No.1 is a Minority Institution in view of the certificate dated 19/09/2018.

4. Hence, we proceed to pass following order:

ORDER

- (a) The writ petition is **allowed**.
- (b) The impugned orders dated 23/04/2025 passed by the Education Officer, Zilla Parishad, Akola, and 13/05/2025 passed by the Deputy Director of Education, Amravati Division, Amravati, are hereby quashed and set aside.
- (c) The Education Officer (Secondary), Zilla Parishad, Akola to grant approval to the appointment of petitioner Nos.3 to 6 as Shikshan Sewak and consequent thereto include their names in Shalarth Pranali and allot Shalarth IDs in their names, within a period of four weeks from today, if there is no other compliance remained to be done on the part of petitioner Nos.3 to 6.
- (d) Rule is made absolute in the above terms. No costs.

(RAJ D. WAKODE, J.)

(SMT. M.S. JAWALKAR, J.)

Vijaykumar