



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

WRIT PETITION NO. 1520 OF 2024

(Masumiya Urdu Education Society and others vs. State of Maharashtra and another)

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

Court's or Judge's order

Mr. Ram Karode, Advocate for the petitioner.
Mr. A.M.Kadukar, AGP for respondent Nos.1 and 2.
Ms. Paliwal, Advocate h/f Mr.V.K.Paliwal, Advocate for respondent
No.3.

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

DATE : MARCH 26, 2025

1) The staffing pattern at the Z.A.Urdu High School, and Junior College, Malkapur, would indicate that sanctioned teaching posts as on 2020-2021 in Urdu Medium Standards 9th to 10th were 09 posts in which 07 posts were occupied (page 108), this would indicate that the sanctioned post is available for considering proposal of the petitioner sent by the management for approval to the Education Officer. The impugned communication merely rejects the proposal on the ground that there was ban in recruitment. In our considered opinion the ban in recruitment would not apply to a sanctioned post and even otherwise, since the G.R. dated 02/02/2023 has the effect of lifting the ban vis-a-vis minority institution, which the petitioner No.1, is one. That being the position the impugned communication dated 14/09/2022 is hereby quashed and set aside and respondent No.2 is directed to consider the case of the petitioner for grant of approval in light of the staffing pattern as indicated by page 108 and grant him approval in case there is no

impediment in doing so. The same shall be done within a period of four weeks from today.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

KOLHE